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VOL. XXVII. Fourth Series.

374

57 & 58 VICTORIA.

THE
PARLIAMENTARY
DEBATES

AUTHORISED EDITION.

TITLE AND INDEX, &c.

EYRE AND SPOTTISWOOD, *Printers,*
Her Majesty's Printers,
Lancaster Street, E.C., and 47 PARKER STREET, W.C.,
REPORTERS, PRINTERS, AND PUBLISHERS OF

THE PARLIAMENTARY DEBATES, AUTHORIZED EDITION.

(UNDER CONTRACT WITH H.M. GOVERNMENT).



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THE
PARLIAMENTARY DEBATES

AUTHORISED EDITION.

FOURTH SERIES:

COMMENCING WITH THE THIRD SESSION OF THE TWENTY-FIFTH PARLIAMENT

OF THE

UNITED KINGDOM OF GREAT BRITAIN AND IRELAND.

57 & 58 VICTORIÆ.

VOLUME XXVII.

COMPRISING THE PERIOD FROM

THE SIXTEENTH DAY OF JULY

TO

THE SECOND DAY OF AUGUST,

1894.

EYRE AND SPOTTISWOODE,

Her Majesty's Printers,

EAST HARDING STREET, E.C., AND 41 PARKER STREET, W.C.,

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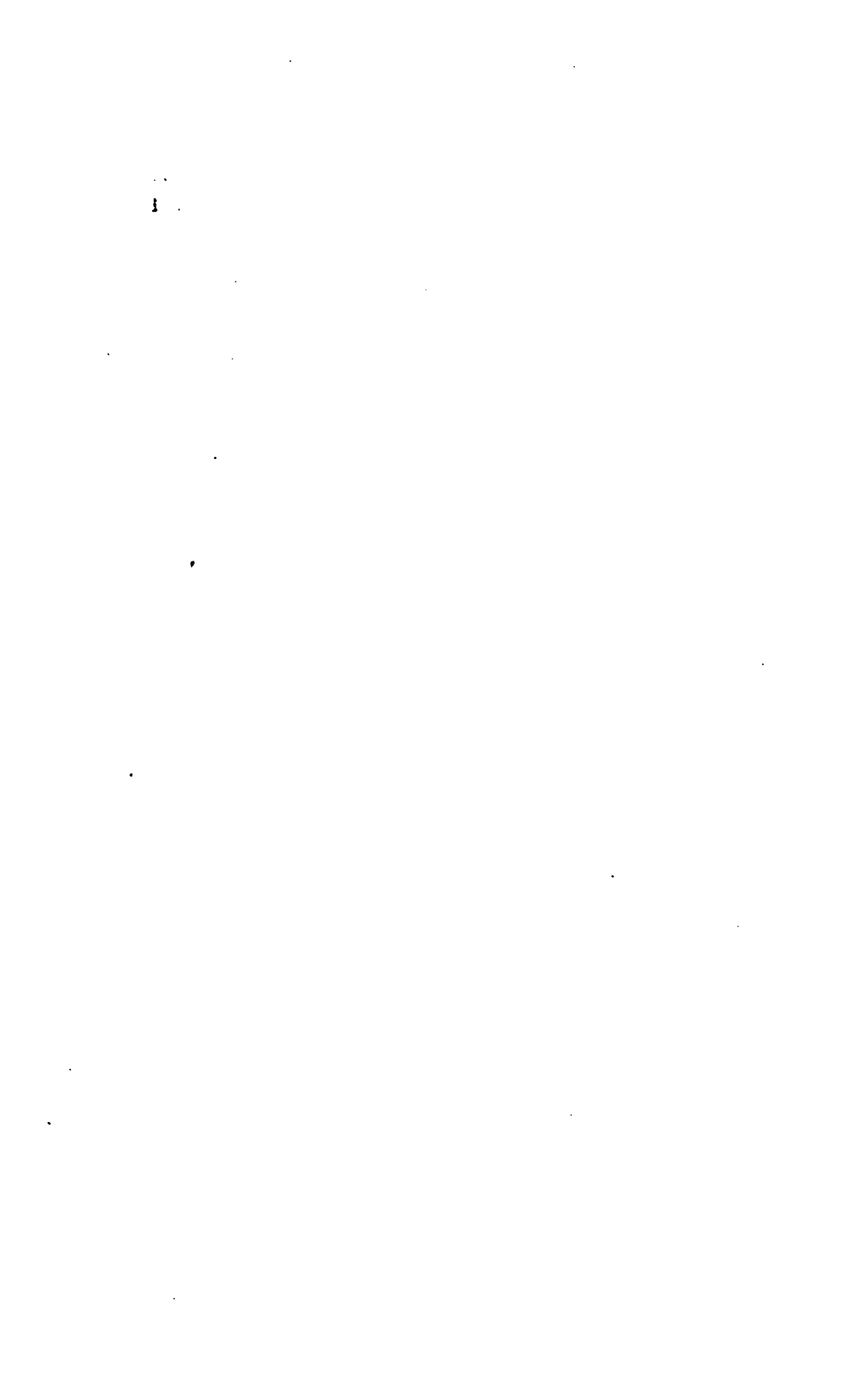


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Pier and Harbour Provisional Orders (No. 4) Bill (No. 142)—Read 3^a (according to Order), and passed.

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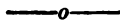
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Where the Value of the Estate			Per Centage.
Exceeds—	£	£	
“	100 and does not exceed	500	One pound for every full sum of £100, and for any fractional part of £100.
“	500 “ “	1,000	One pound for the first £500, and two pounds for every further full sum of £100 or fraction of £100.
“	1,000 “ “	10,000	Two pounds for the first £1,000, and three pounds for every further full sum of £100 or fractional part of £100.
“	10,000 “ “	25,000	Three pounds for the first £10,000, and four pounds for every further full sum of £100 or fractional part of £100.
“	25,000 “ “	50,000	Four pounds for the first £25,000, and four pounds ten shillings for every further full sum of £100 or fractional part of £100.
“	50,000 “ “	75,000	Four pounds ten shillings for the first £50,000, and five pounds for every further full sum of £100 or fractional part of £100.
“	75,000 “ “	100,000	Five pounds for the first £75,000, and five pounds ten shillings for every further full sum of £100 or fractional part of £100.
“	100,000 “ “	150,000	Five pounds ten shillings for the first £100,000, and six pounds for every further full sum of £100 or fractional part of £100.
“	150,000 “ “	250,000	Six pounds for the first £150,000, and six pounds ten shillings for every further full sum of £100 or fractional part of £100.
“	250,000 “ “	500,000	Six pounds ten shillings for the first £250,000, and seven pounds for every further full sum of £100 or fractional part of £100.
“	500,000 “ “	1,000,000	Seven pounds for the first £500,000, and seven pounds ten shillings for every further full sum of £100 or fractional part of £100.
“	1,000,000		Seven pounds ten shillings for the first £1,000,000, and eight pounds for every further full sum of £100 or fractional part of £100.

—(*Mr. Bartley.*)

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"(6) In the case of any land in respect of which Estate Duty is leviable, where the person accountable for the duty has elected to pay it by yearly instalments, and such land is farmed by the owner himself or person accountable for the duty, there shall be allowed in respect of every instalment of duty an abatement at the rate of 10s. per acre in respect of every acre of such land under cultivation for wheat in the year preceding the date when the instalment became due,"—(*Mr. Bousfield*.)

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Amendment proposed, in page 16, line 19, at end, to insert—

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Question proposed, "That those words be there inserted."

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Amendment proposed, in page 16, line 21, to leave out the words "or held upon the trusts of,"—(*Mr. R. T. Reid*.)

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Amendment proposed, in page 17, line 7, to leave out the words "or not," and insert the words—

"And a person entitled to a base fee continuing after his death,"—(*Mr. Byrne*.)

Question proposed, "That the words 'or not' stand part of the Bill."

After short Debate, Question put, and *agreed to*.

Other Amendments *agreed to*.

Amendment proposed, in page 18, line 20, at end, insert—

"Where an entailed estate passes on the death of the deceased to an institute or heir of entail who is not entitled to disentail such estate without either obtaining the consent of one or more subsequent heirs of entail, or having the consent of such one or more subsequent heirs valued and dispensed with, Settlement Estate Duty as well as Estate Duty shall be paid in respect of such estate, but neither Estate Duty nor Settlement Estate Duty shall be payable again in respect of such estate until such estate is disentailed, or until an heir of entail to whom it passes on or subsequent to the death of the institute or heir first mentioned, and who is entitled to disentail it without obtaining the consent of any subsequent heir or heirs, or having the consent of any subsequent heir or heirs valued and dispensed with, dies,"—(*The Lord Advocate*.)

Question, "That those words be there inserted," put, and *agreed to* ... 103

Amendment proposed, in page 18, after line 20, insert—

"Where an institute or heir of entail in possession of an entailed estate who is not entitled to disentail such estate without either obtaining the consent of one or more subsequent heirs of entail, or having the consent of such one or more subsequent heirs valued and dispensed with, has paid Estate Duty in respect of such estate, and afterwards disentails such estate, he shall be entitled to deduct from the value in money of the expectancy or interest in such estate of such one or more subsequent heirs, payable by him to them in respect of their consents having been granted or dispensed with, a proper rateable part of the Estate Duty paid by him as aforesaid,"—(*The Lord Advocate*.)

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"The Court may in such order specify the time and place at which, the person by whom, and the advertisement or notice after which the sale shall be made, and may ordain the person in whom the property is vested to grant a disposition thereof in favour of the purchaser, and if the person in whom the property is vested refuses or fails to do so, the Court shall grant authority to the Clerk of Court to execute such disposition, and such disposition so executed shall be as valid as if it had been executed by the person in whom the property is vested,"—(*The Lord Advocate.*)

Amendment agreed to.

Amendment proposed, in page 18, line 42, after the word "vested," to insert—

"And shall be a first charge upon the property after any debt or incumbrance for which an allowance is directed to be made under this Act, in determining the value of the property for the purpose of Estate Duty,"—(*The Lord Advocate.*)

Amendment agreed to.

Amendment proposed, in Clause 23, page 18, line 42, at end, add—

"Provided also that summary diligence shall not be competent thereupon,"—(*Mr. Graham Murray.*)

Amendment agreed to 105

Amendment proposed, in page 20, line 42, at end, add—

"This section shall not affect the continuance after the 30th day of June 1895 of the duties existing prior to this section taking effect,"—(*Mr. R. T. Reid.*)

Amendment agreed to.

Amendment proposed, in page 21, line 10, after the word "gravity," to insert the words—

"But this extra Excise Duty of 6d. per gallon shall not be chargeable upon those brewing 1,000 barrels or less per annum, and a graduated and reduced duty shall be chargeable upon all persons brewing less than 5,000 and more than 1,000 barrels per annum,"—(*Mr. Bigwood.*)

Question proposed, "That those words be there inserted" 106

After short Debate, Amendment, by leave, withdrawn 107

Amendment proposed, in page 22, line 15, after the word "Act," to insert the words—

"In estimating the annual value of any lands for the purpose of Schedule B., according to the Income Tax Act, 1853, the General Commissioners of Income Tax for England and Wales may, if they think fit, estimate such value at less than the gross estimated rental at which such lands are assessed to the rate for the relief of the poor,"—(*Mr. Rownd.*)

Question proposed, "That those words be there inserted" 108

After short Debate, Amendment, by leave, withdrawn 109

Amendment proposed, in page 22, line 42, at end, add—

"Where the total joint income of a husband and wife charged to Income Tax, by way either of assessment or reduction, does not exceed five hundred pounds, and, upon any claim under this section, the Commissioners for the general purposes of the Acts relating to Income Tax are satisfied that such total income includes profits of the wife derived from any profession, employment, or vocation, chargeable under Schedule D, or from any office or employment of profit chargeable under Schedule E, they shall deal with such claim as if it were a claim for exemption, or relief, or abatement, as the case may be, in respect of such profits of the wife, and a separate claim, on the part of the husband, for exemption, or relief, or abatement in respect of the rest of such total income,"—(*The Chancellor of the Exchequer.*)

Question proposed, "That those words be there added" 110

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Amendment proposed, in page 23, line 36, to leave out "three" and insert "five,"—(*Mr. Bartley.*)

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Zanzibar Indemnity Bill (No. 308)—Read the third time, and passed.	
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Motion *agreed to* ... 274

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Access to Mountains (Scotland) Bill—

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Local Government (Ireland) Provisional Orders (No. 14) Bill—Lords Amendments *agreed to*.

Tramways Orders Confirmation (No. 1) Bill [*Lords*] (No. 306)—Read a second time, and committed.

Tramways Orders Confirmation (No. 2) Bill [*Lords*] (No. 307)—Read a second time, and committed.

Public Libraries (Ireland) Acts Amendment Bill (No. 170)—Reported from the Select Committee, with Minutes of Evidence.

Report to lie upon the Table, and to be printed. [No. 223.]

Bill re-committed to a Committee of the Whole House for Monday next, and to be printed. [Bill 317.]

VOLUNTEER ACTS—

Report from the Select Committee, with Minutes of Evidence and an Appendix, brought up, and read.

Report to lie upon the Table, and to be printed. (No. 224.)

MESSAGE FROM THE LORDS—

That they have agreed to,—Pier and Harbour Provisional Orders (No. 3) Bill ; Pier and Harbour Provisional Orders (No. 4) Bill ; Local Government Provisional Orders (No. 11) Bill, with an Amendment ; Prevention of Cruelty to Children Bill ; Local Government Provisional Orders (No. 13) Bill.

Contempt of Court Bill—Ordered (*Mr. McCartan, Mr. E. J. C. Morton, Mr. Seaton, Mr. Byles, Mr. Knox.*)—Bill presented, and read first time. [Bill 318.]

CROWN LANDS BILL—

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After short Debate, Vote agreed to	330
Resolutions to be reported To-morrow.	
Committee to sit again upon Friday.	

Contagious Diseases (Animals) Acts Amendment Bill (No. 297)—

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

Objection being taken,

Motion made, and Question proposed, "That the Order be discharged, and Bill withdrawn,"—(Mr. H. Gardner.)

Motion agreed to :—Order discharged ; Bill withdrawn.

Church Patronage Bill (No. 276)—

Bill, as amended, considered.

After short Debate, It being after half-past Five of the clock, and Objection being taken, Further Proceeding stood adjourned.

Proceeding to be resumed To-morrow.

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Rivers Pollution Prevention Bill (No. 95)—

Order for Second Reading read 331

Motion made, and Question proposed, "That the Bill be now read a second time,"—(*Sir F. S. Powell.*)

Objection being taken, Second Reading deferred till To-morrow.

Local Government Provisional Orders (No. 11) Bill (No. 229)—Lords Amendment agreed to.

Local Government Provisional Orders (No. 13) Bill (No. 230)—Lords Amendments agreed to.

Peebles Foot Pavements Provisional Order Bill (No. 304)—Reported, without Amendment [Provisional Order confirmed]; to be read the third time To-morrow.

Fatal Accidents (Inquiry) Scotland Bill (No. 151)—Order for resuming Adjourned Debate on Second Reading [22nd May] read, and discharged.

Bill withdrawn.

Factories and Workshops Bill (No. 204)—Order for Second Reading read, and discharged.

Bill withdrawn.

Surveyors Ireland Bill (No. 216)—Order for Second Reading read, and discharged.

Bill withdrawn.

Dogs Bill (No. 177)—Order for Second Reading read, and discharged.

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Established Church (Wales) Bill (No. 205)—Order for Second Reading read, and discharged.

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Limitation of Actions Bill [*Lords*] (No. 280)—Order for Second Reading read, and discharged.

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Cotton Trade (Forty-Eight Hours) Bill (No. 56)—Order for Second Reading read, and discharged.

Bill withdrawn.

Land Values (Taxation by Local Authorities) Bill (No. 55)—Order for Second Reading read, and discharged.

Bill withdrawn.

PUBLIC ACCOUNTS COMMITTEE—

Third Report, with Minutes of Evidence and Appendix, brought up, and read.

Report to lie upon the Table, and to be printed. [No. 226.]

PUBLIC PETITIONS COMMITTEE—

Ninth Report brought up, and read; to lie upon the Table, and to be printed.

Mortgagees' Costs Bill—Ordered (*Mr. Neville, Mr. Cozens-Hardy, Mr. Warming-* *ton.*)—Bill presented, and read first time. [Bill 319.]

Settled Land Act (1882) Amendment Bill—Ordered (*Mr. Cozens-Hardy,* *Mr. Courtney, Mr. Haldane.*)—Bill presented, and read first time. [Bill 320.]

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THE LOCAL VETO BILL—Question, Mr. Bromley-Davenport ; Answer, The Chancellor of the Exchequer (Sir W. Harcourt).	

M O T I O N .

—o—

ADJOURNMENT—PUBLIC BUSINESS (MINISTERIAL STATEMENT)—

Sir M. Hicks-Beach, Member for West Bristol, rose in his place, and asked leave to move the Adjournment of the House for the purpose of discussing a definite matter of urgent public importance—namely, “the statement made yesterday by the Chancellor of the Exchequer as to Public Business during the remainder of the Session ;” but the pleasure of the House not having been signified, Mr. Speaker called on those Members who supported the Motion to rise in their places, and not less than 40 Members having accordingly risen :—

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After Debate, Question put :—The House divided :—Ayes 205 ; Noes 256.— (Division List, No. 187)	423

O R D E R S O F T H E D A Y .

—o—

Evicted Tenants (Ireland) Arbitration Bill (No. 176)—

Order for Second Reading read.

Motion made, and Question proposed, “That the Bill be now read a second time,”—(*Mr. J. Morley*) ... 424

Amendment proposed, to leave out the word “now,” and at the end of the Question to add the words “upon this day three months,”—(*Colonel Saunderson*) ... 435

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British Museum (Purchase of Land) Bill (No. 315)—

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(In the Committee.)

After short Debate, Bill reported, without Amendments, to the House ; to be read the third time To-morrow ... 487

Peebles Foot Pavements Provisional Order Bill (No. 304)—Read the third time, and passed.

Notice of Accidents Bill (No. 272)—Lords Amendments to be considered forthwith ; considered, and *agreed to*.

Prevention of Cruelty to Children Bill (No. 242)—Lords Amendments to be considered forthwith ; considered, and *agreed to*.

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SUPPLY—REPORT—

Resolutions [18th July] reported.

ARMY ESTIMATES, 1894-95.

1. "That a sum, not exceeding £257,600, be granted to Her Majesty, to defray the Charge for the Salaries and Miscellaneous Charges of the War Office, which will come in course of payment during the year ending on the 31st day of March, 1895."
2. "That a sum, not exceeding £1,516,400, be granted to Her Majesty, to defray the Charge for Retired Pay, Half-Pay, and other Non-Effective Charges for Officers and others, which will come in course of payment during the year ending on the 31st day of March, 1895."
3. "That a sum, not exceeding £1,355,200, be granted to Her Majesty, to defray the Charge for Chelsea and Kilmainham Hospitals and the In-Pensioners thereof, of Out-Pensions, of the maintenance of Lunatics for whom Pensions are not drawn, and of Gratuities awarded in commutation and in lieu of Pensions, of Rewards for Meritorious Services, of Victoria Cross Pensions, and of Pensions to the Widows and Children of Warrant Officers, which will come in course of payment during the year ending on the 31st day of March, 1895."
4. "That a sum, not exceeding £164,700, be granted to Her Majesty, to defray the Charge for Superannuation, Compensation, and Compassionate Allowances and Gratuities, which will come in course of payment during the year ending on the 31st day of March, 1895."

Resolutions *agreed to*.

County Councillors (Qualification of Women) Bill (No. 168)—Order for Second Reading read, and discharged 488
Bill withdrawn.

Mussel Scalps (Scotland) Bill (No. 169)—Order for resuming Adjourned Debate on Second Reading [10th July] read, and discharged.
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ADJOURNMENT—

Motion made, and Question proposed, "That this House do now adjourn."

BUSINESS OF THE HOUSE—Notice thereon,—(*Mr. J. Morley*)

Question put, and *agreed to*.

LORDS, FRIDAY, JULY 20.

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The following Bills received the Royal Assent :—

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Sea Fisheries (Shell Fish).					
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Local Government Provisional Orders (No. 15) Bill (No. 126)—Reported, without Amendment, and committed to a Committee of the Whole House on Tuesday next.

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Leave given to the Joint Committee to report from time to time: First Report made; and to be printed. (No. 170.)

Copyright (Consolidation) Bill [H.L.] (No. 2)—Reported from the Joint Committee on Statute Law Revision Bills and Consolidation Bills, with Amendments, and committed to a Committee of the Whole House on Thursday next; and to be printed, as amended. (No. 171.)

Local Government Provisional Orders (No. 17) Bill (No. 123)—Amendments reported (according to Order); and Bill to be read 3^a on Monday next ... 537

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Local Government Provisional Orders (No. 14) Bill (No. 150)—Amendment reported (according to Order); and Bill to be read 3^a on Monday next.

Local Government Provisional Orders (No. 18) Bill (No. 151)—Read 3^a (according to Order), and passed.

Parochial Electors (Registration Acceleration) Bill (No. 162)—House in Committee (according to Order): Bill reported without amendment; and re-committed to the Standing Committee.

Zanzibar Indemnity Bill (No. 308)—House in Committee (according to Order): Bill reported without amendment: Standing Committee negatived; and Bill to be read 3^a on Monday next.

Peebles Foot Pavements Provisional Order Bill—Read 1^a; to be printed; and referred to the Examiners. (No. 172.)

COMMONS, FRIDAY, JULY 20.

PRIVATE BUSINESS.

—o—

Great Western and Midland Railway Companies Bill [Lords] (by Order)—Order for Second Reading read.

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ROYAL ASSENT—

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—o—

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SITTING OF THE HOUSE (EXEMPTION FROM THE STANDING ORDER)—

Ordered, "That the proceedings on the Evicted Tenants (Ireland) Arbitration Bill, if under discussion at Twelve o'clock this night, be not interrupted under the Standing Orderittings of the House,"—(*Sir W. Harcourt.*)

ORDERS OF THE DAY.

—o—

Evicted Tenants (Ireland) Arbitration Bill (No. 176)—

Order read, for resuming Adjourned Debate on Amendment proposed to Question [19th July], "That the Bill be now read a second time."

And which Amendment was, to leave out the word "now," and at the end of the Question to add the words "upon this day three months,"—(*Colonel Saunderson.*)

Question again proposed, "That the word 'now' stand part of the Question."

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Motion *agreed to.*

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Elementary Education Provisional Orders Confirmation (Barry, &c.) Bill

[*Lords*] (No. 310)—Read a second time, and committed.

STATUTE LAW REVISION BILLS, &c.—

Leave to the Committee to make a Special Report.

Special Report brought up, and read.

Merchant Shipping Bill reported from the Joint Committee.

Report and Special Report to lie upon the Table, and to be printed. [No. 230.]

Bill re-committed to a Committee of the Whole House for Monday next, and to be printed. [Bill 321.]

STATUTE LAW REVISION BILLS, &c.—

Leave to the Committee to make a Special Report in respect of the—

Copyhold Consolidation Bill [*Lords*].

Special Report brought up, and read; to lie upon the Table, and to be printed. [No. 231.]

British Museum (Purchase of Land) Bill (No. 315)—Read the third time, and passed.

LORDS, MONDAY, JULY 23.

London Streets and Buildings Bill—

Moved, "That the Order made on the 19th day of March last, 'That no Private Bill brought from the House of Commons shall be read a second time after Tuesday the 26th day of June next,' be dispensed with, and that the Bill be read 2^a,"—(*The Earl of Morley*)

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Quarries Bill [H.L.] (No. 149)—Read 3^a (according to Order) ; Amendments made ; Bill passed, and sent to the Commons.	
Coal Mines (Check Weigher) Bill [H.L.] (No. 153)—Read 3^a (according to Order), and passed, and sent to the Commons.	
Industrial Schools Bill [H.L.] (No. 152)—Amendments reported (according to Order), and Bill to be read 3^a To-morrow.	
Boards of Conciliation Bill [H.L.] (No. 112)—House in Committee (according to Order) : Bill reported without amendment ; and re-committed to the Standing Committee.	
Zanzibar Indemnity Bill (No. 167)—Read 3^a (according to Order), and passed ...	656
British Museum (Purchase of Land) Bill —Brought from the Commons ; read 1 ^a ; and to be printed. (No. 173.)	

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ORDERS OF THE DAY.

Evicted Tenants (Ireland) Arbitration Bill (No. 176)—

Order read, for resuming Adjourned Debate on Amendment proposed to Question [19th July], "That the Bill be now read a second time."

And which Amendment was, to leave out the word "now," and at the end of the Question to add the words "upon this day three months,"—(*Colonel Saunderson*)

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EVICTED TENANTS (IRELAND) ARBITRATION BILL—*continued*.

Question again proposed.

Debate resumed.

After Debate, Question put :—The House divided :—Ayes 259 ; Noes 227.—(Division List, No. 188) 784

Main Question put, and *agreed to*.

Bill read a second time, and committed for Thursday.

Public Libraries (Ireland) Acts Amendment (*re-committed*) Bill (No. 317)—

Bill considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress ; to sit again To-morrow.

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER BILLS (JOINT COMMITTEE)—

Report, with Minutes of Evidence, brought up, and read.

Report to lie upon the Table, and to be printed. [No. 232.]

Canal Tolls and Charges Provisional Order (No. 1) (Canals of Great Northern and other Railway Companies) Bill (No. 178)—Reported from the Joint Committee of Lords and Commons on Canal Rates, Tolls, and Charges Provisional Order Bills [Provisional Order confirmed] ; Report to lie upon the Table, and to be printed.

Bill, as amended, to be considered upon Thursday, and to be printed. [Bill 322.]

Canal Rates, Tolls and Charges Provisional Order (No. 2) (Bridgwater, &c. Canals) Bill (No. 198)—Reported from the Joint Committee of Lords and Commons on Canal Rates, Tolls, and Charges Provisional Order Bills [Provisional Order confirmed] ; Report to lie upon the Table, and to be printed.

Bill, as amended, to be considered upon Thursday, and to be printed. [Bill 323.]

Canal Tolls and Charges Provisional Order (No. 3) (Aberdare, &c. Canals) Bill (No. 215)—Reported from the Joint Committee of Lords and Commons on Canal Rates, Tolls, and Charges Provisional Order Bills [Provisional Order confirmed] ; Report to lie upon the Table, and to be printed.

Bill, as amended, to be considered upon Thursday, and to be printed. [Bill 324.]

Canal Tolls and Charges Provisional Order (No. 4) (Birmingham Canal) Bill (No. 252)—Reported from the Joint Committee of Lords and Commons on Canal Rates, Tolls, and Charges Provisional Order Bills [Provisional Order confirmed] ; Report to lie upon the Table, and to be printed 786

Bill, as amended, to be considered upon Thursday, and to be printed. [Bill 325.]

Canal Tolls and Charges Provisional Order (No. 5) (Regent's Canal) Bill (No. 253)—Reported from the Joint Committee of Lords and Commons on Canal Rates, Tolls, and Charges Provisional Order Bills [Provisional Order confirmed] ; Report to lie upon the Table, and to be printed.

Bill, as amended, to be considered upon Thursday, and to be printed. [Bill 326.]

Canal Tolls and Charges Provisional Order (No. 6) (River Lea, &c) Bill (No. 254)—Reported from the Joint Committee of Lords and Commons on Canal Rates, Tolls, and Charges Provisional Order Bills [Provisional Order confirmed] ; Report to lie upon the Table, and to be printed.

Bill, as amended, to be considered upon Thursday, and to be printed. [Bill 327.]

Canal Tolls and Charges Provisional Order (No. 7) (River Ancholme, &c.) Bill (No. 263)—Reported from the Joint Committee of Lords and Commons on Canal Rates, Tolls, and Charges Provisional Order Bills [Provisional Order confirmed] ; Report to lie upon the Table, and to be printed.

Bill, as amended, to be considered upon Thursday, and to be printed. [Bill 328.]

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Canal Tolls and Charges Provisional Order (No. 8) (River Cam, &c.) Bill (No. 264)—Reported from the Joint Committee of Lords and Commons on Canal Rates, Tolls, and Charges Provisional Order Bills [Provisional Order confirmed]; Report to lie upon the Table, and to be printed.

Bill, as amended, to be considered upon Thursday, and to be printed. [Bill 329.]

Canal Rates, Tolls, and Charges Provisional Order (No. 9) (River Lark)
Bill (No. 265)—Reported from the Joint Committee of Lords and Commons on Canal Rates, Tolls, and Charges Provisional Order Bills [Bill not proceeded with]; Report to lie upon the Table, and to be printed 787

Canal Tolls and Charges Provisional Order (No. 10) (Canals of the Caledonian and North British Railway Companies) Bill (No. 266)—Reported from the Joint Committee of Lords and Commons on Canal Rates, Tolls, and Charges Provisional Order Bills [Provisional Order confirmed]; Report to lie upon the Table, and to be printed.

Bill, as amended, to be considered upon Thursday, and to be printed. [Bill 330.]

Canal Tolls and Charges Provisional Order (No. 11) (Lagan, &c. Canals) Bill (No. 267)—Reported from the Joint Committee of Lords and Commons on Canal Rates, Tolls, and Charges Provisional Order Bills [Provisional Order confirmed]; Report to lie upon the Table, and to be printed.

Bill, as amended, to be considered upon Thursday, and to be printed. [Bill 331.]

Canal Rates, Tolls, and Charges Provisional Order (No. 12) (Grand, &c. Canals) Bill (No. 268)—Reported from the Joint Committee of Lords and Commons on Canal Rates, Tolls, and Charges Provisional Order Bills [Provisional Order confirmed]; Report to lie upon the Table, and to be printed.

Bill, as amended, to be considered upon Thursday, and to be printed. [Bill 332.]

MESSAGE FROM THE LORDS—

That they have agreed to—

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Uniforms Bill (No. 309)—Read the third time, and passed.

Trout Fishing (Scotland) Bill [Lords] (No. 279)—Considered in Committee.
(In the Committee.)

Clause 1.

Committee report Progress; to sit again upon Thursday.

Heritable Securities (Scotland) (re-committed) Bill (No. 316)—Considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress; to sit again To-morrow.

Places of Worship Sites Bill (No. 90)—Order for Second Reading read, and discharged.

Bill withdrawn.

Poor Law Union Officers (Ireland) Superannuation Bill (No. 240)—Order for Second Reading read, and discharged.

Bill withdrawn.

Tramways Bill (No. 72)—Order for Second Reading read, and discharged.

Bill withdrawn.

WAYS AND MEANS—

Considered in Committee.

(In the Committee.)

Resolved, That towards making good the Supply granted to Her Majesty for the service of the year ending on the 31st day of March 1895, the sum of £17,715,550 be granted out of the Consolidated Fund of the United Kingdom,—(*The Chancellor of the Exchequer.*)

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PRIVATE BUSINESS.

—o—

Great Western Railway (No. 1) Bill [Lords]—	
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After short Debate, Lords Amendments to Commons Amendments <i>agreed to</i> .	

QUESTIONS.

—o—

WORKING HOURS ON SCOTCH RAILWAYS— Question, Mr. W. Whitelaw; Answer, The President of the Board of Trade (Mr. Bryce).	
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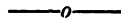
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ORDERS OF THE DAY.



Equalisation of Rates (London) Bill (No. 124)—

Order for Second Reading read.

Motion made, and Question proposed, “That the Bill be now read a second time,”—(*Mr. Shaw-Lefevre*.)

Amendment proposed, to leave out the word “now,” and at the end of the Question to add the words “upon this day three months,”—(*Mr. Alban Gibbs*) ... 825

Question proposed, “That the word ‘now’ stand part of the Question” ... 834

After Debate, it being Midnight, the Debate stood adjourned ... 895

Debate to be resumed To-morrow.

MESSAGE FROM THE LORDS—

That they have agreed to—

Zanzibar Indemnity Bill,

Local Government Provisional Order (No. 17) Bill,

Local Government Provisional Orders (No. 14) Bill.

That they have passed a Bill, intituled, “An Act to provide for the better regulation of quarries.” [*Quarries Bill [Lords].*]

And, also, a Bill, intituled, “An Act to amend the provisions of The Coal Mines Regulation Act, 1887, with respect to check weighers.” [*Coal Mines (Check Weigher) Bill [Lords].*]

Nautical Assessors (Scotland) Bill (No. 312)—Considered in Committee, and reported, without amendment ; read the third time, and passed.

Public Libraries (Ireland) Acts Amendment (*re-committed*) Bill (No. 317)—Considered in Committee, and reported, without amendment ; read the third time, and passed ... 896

WAYS AND MEANS—CONSOLIDATED FUND (No. 3) BILL—

Resolution [23rd July] reported ;

“That towards making good the Supply granted to Her Majesty for the Service of the year ending on the 31st day of March 1895, the sum of £17,715,550 be granted out of the Consolidated Fund of the United Kingdom.”

Resolution *agreed to*.

Bill ordered (*Mr. Mellor, The Chancellor of the Exchequer, Sir J. T. Hibbert:*)—Bill presented, and read first time.

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ORDERS OF THE DAY.

—o—

Equalisation of Rates (London) Bill (No. 124)—

Order read, for resuming Adjourned Debate on Amendment proposed to Question [24th July], "That the Bill be now read a second time."

And which Amendment was, to leave out the word "now," and at the end of the Question to add the words "upon this day three months,"—(*Mr. Alban Gibbs.*)

Question again proposed, "That the word 'now' stand part of the Question."

Debate resumed 897

After Debate, Mr. Shaw-Lefevre rose in his place, and claimed to move, "That the Question be now put" 942

Question, "That the Question be now put," put, and *agreed to*.

Question, "That the word 'now' stand part of the Question," put accordingly, and *agreed to*.

Main Question put, and *agreed to*.

Bill read a second time.

Motion made, and Question proposed, "That the Bill be committed to a Committee of the Whole House."

Amendment proposed, to leave out the words "Committee of the Whole House," and add the words—

"Select Committee composed of all the Members who represent London constituencies, together with Fifteen other Members to be nominated by the Committee of Selection, and that the Committee be subject to the provisions of Standing Order No. 47 as far as they are applicable :

That the Chairmen's Panel nominated under Standing Order No. 49 do appoint one of their Members to be the Chairman of the Committee, and that the provisions of Standing Order No. 50 do apply to the Bill when reported by the Committee,"—(*Sir J. Goldsmid.*)

Question proposed, "That the words proposed to be left out stand part of the Question" 946

After short Debate, Amendment, by leave, *withdrawn* 950

Main Question put, and *agreed to*.

Bill committed to a Committee of the Whole House for Monday next.

Merchant Shipping (*re-committed*) Bill (No. 132)—

Bill considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress ; to sit again To-morrow.

Prize Courts Bill [*Lords*] (No. 311)—

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

Second Reading deferred till To-morrow 951

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Charitable Trusts Acts Amendment Bill [<i>Lords</i>] (No. 296)—	
Order for Second Reading read.	
Motion made, and Question proposed, "That the Bill be now read a second time,"—(<i>Mr. Cozens-Hardy</i> .)	
After short Debate, Motion <i>agreed to</i> ; Bill read a second time, and committed for Wednesday next.	
Local Government Provisional Orders (No. 14) Bill (No. 236)—Lords Amendments <i>agreed to</i>.	
Local Government Provisional Orders (No. 17) Bill (No. 248)—Lords Amendments <i>agreed to</i>.	
Tramways Orders Confirmation (No. 1) Bill [<i>Lords</i>] (No. 306)—Reported without amendment [Provisional Orders confirmed]; Report to lie upon the Table, and to be printed.	
Bill to be considered To-morrow.	
Tramways Orders Confirmation (No. 2) Bill [<i>Lords</i>] (No. 307)—Reported, with Amendments [Provisional Orders confirmed]; Report to lie upon the Table, and to be printed	
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Bill, as amended, to be considered To-morrow.	
Valuation (Metropolis) Bill (No. 130)—Order for Second Reading read, and discharged.	
Bill withdrawn.	
Borough Funds Act (1872) Amendment Bill—Ordered (<i>Sir Albert Rollit</i>, <i>Sir Thomas Rie</i> :)—Bill presented, and read first time. [Bill 333.]	
Patent Agents Bill (No. 18)—Special Report from the Select Committee on Patent Agents Bill brought up, and read.	
Patent Agents Bill—Reported without amendment.	
Patent Agents Registration Bill (No. 143)—Reported with Minutes of Evidence and an Appendix.	
Bill, as amended, to be printed. [Bill 334]; re-committed to a Committee of the Whole House for Monday next.	
Special Report and other Reports to lie upon the Table, and to be printed. [No. 235.]	
STATUTE LAW REVISION BILLS, &c.—	
Report from the Joint Committee, in respect of the Prevention of Cruelty to Children Bill [<i>Lords</i>], brought up, and read.	
Report to lie upon the Table, and to be printed. [No. 236.]	

LORDS, THURSDAY, JULY 26.

REPRESENTATIVE PEERS FOR SCOTLAND—

The Lord Chancellor acquainted the House that the Clerk of the Parliaments had received (by post) from the Lord Clerk Register of Scotland 953
Minutes of the election of the Viscount Falkland and the Lord Torphichen as two of the sixteen Peers of Scotland, 18th instant, in room of James David Viscount Strathallan, and John Trotter Earl of Lindsay, deceased; and	
Separate Return by the Lord Clerk Register of certain Titles of Peerage called at the said election, in right of which respectively no vote had been received and counted at any election for fifty years then last past (pursuant to Act 14th and 15th Vict., chap. 87.);	
Ordered that the said Minutes of Election, &c., be printed. (No. 176.)	
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Finance Bill (No. 168)—

Order of the Day for the Second Reading, read.

Moved, “ That the Bill be now read 2^a, ”—(*The Earl of Rosebery*)

After Debate, Motion *agreed to*; Bill read 2^a accordingly, and committed to a Committee of the Whole House To-morrow ... 997

Local Government Provisional Orders (No. 14) Bill (No. 150)—Returned from the Commons with the Amendments *agreed to*.

Local Government Provisional Order (No. 17) Bill (No. 123)—Returned from the Commons with the Amendments *agreed to*.

Prevention of Cruelty to Children Bill [H.L.] (No. 169)—Reported from the Joint Committee on Statute Law Revision Bills and Consolidation Bills with Amendments, and committed to a Committee of the Whole House To-morrow; and to be printed as amended. (No. 178.)

Local Government Provisional Orders (No. 15) Bill (No. 126)—Amendments reported (according to Order); and Bill to be read 3^a To-morrow.

Copyhold Consolidation Bill [H.L.] (No. 171)—

Moved, “ That the House do now resolve itself into Committee, and that the Lord Privy Seal (*L. Tweedmouth*) do take the Chair in the said Committee in the absence of the Chairman of Committees: ” *agreed to*: House in Committee accordingly: The Amendments proposed by the Joint Committee made: Standing Committee negatived: The Report of Amendments to be received To-morrow.

Parochial Electors (Registration Acceleration) Bill (No. 174)—Amendments reported (according to Order); and Bill to be read 3^a To-morrow ... 998

Boards of Conciliation Bill [H.L.] (No. 112)—Amendments reported (according to Order), and Bill to be read 3^a on Monday next.

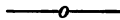
Valuation of Lands (Scotland) Acts Amendment Bill [H.L.] (No. 163)—Read 3^a (according to Order): Amendments made: Bill passed, and sent to the Commons.

Nautical Assessors (Scotland) Bill—Brought from the Commons; read 1^a; to be printed; and to be read 2^a To-morrow (*The Lord Privy Seal [L. Tweedmouth]*). (No. 179.)

Public Libraries (Ireland) Acts Amendment Bill—Brought from the Commons; read 1^a; to be printed; and to be read 2^a To-morrow (*The Lord Privy Seal [L. Tweedmouth]*). (No. 180.)

COMMONS, THURSDAY, JULY 26.

PRIVATE BUSINESS.



Bristol Tramways Bill [*Lords*] (*by Order*)—

Bill, as amended, considered.

New Clause—

“ It shall not be lawful for the Company to take or demand on Sunday, or any Bank, or other public holiday, any higher rates or charges than those levied by them on ordinary week-days,—(*Mr. A. C. Morton*.) ”

Clause brought up, and read the first time ... 999

Motion made, and Question proposed, “ That the Clause be read a second time.”

After short Debate, Clause *agreed to* ... 1000

Bill to be read the third time.

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MOTION.

—o—

Housing of the Working Classes (Borrowing Powers) Bill—

Motion made, and Question proposed,

"That leave be given to bring in a Bill to explain the provisions of Part II. of The Housing of the Working Classes Act, 1890, with respect to powers of borrowing."

Motion agreed to ... 1028

Bill ordered (Mr. Shaw-Lefevre, Sir Walter Foster:—) Bill presented, and read first time. [Bill 336.]

ORDERS OF THE DAY.

—o—

Evicted Tenants (Ireland) Arbitration Bill (No. 176)—

Order for Committee read.

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EVICTED TENANTS (IRELAND) ARBITRATION BILL—*continued.*

Bill considered in Committee.

(In the Committee.)

Clause 1.

After short Debate, Amendment proposed, in page 1, line 5, to leave out the word "tenancy," in order to insert the word "tenant,"—(*Mr. Hanbury*) 1029

Question proposed, "That the word 'tenancy' stand part of the Clause."

After Debate, Question put :—The Committee divided :—Ayes 213 ; Noes 159.—(Division List, No. 189) 1046

Amendment proposed, in page 1, line 5, after the word "holding," to insert the words

"which is valued under the Acts relating to the valuation of rateable property in Ireland at not more than thirty pounds a year,"—(*Mr. Brodriok.*)

Question proposed, "That those words be there inserted" 1050

After Debate, Question put :—The Committee divided :—Ayes 133 ; Noes 198.—(Division List, No. 190) 1060

Several other Amendments disposed of.

Amendment proposed, in page 1, line 6, after the word "determined," to insert the words "once only,"—(*Mr. Hanbury*) 1069

Question proposed, "That those words be there inserted" 1070

After Debate, Mr. Clancy rose in his place, and claimed to move, "That the Question be now put" 1083

Question put, "That the Question be now put."

The Committee divided :—Ayes 162 ; Noes 94.—(Division List, No. 191.)

Question put accordingly, "That the words 'once only' be there inserted."

The Committee divided :—Ayes 107 ; Noes 183.—(Division List, No. 192.)

Amendment proposed, in page 1, line 6, after the word "determined," to insert the words "by legal process by reason of the non-payment of rent thereof,"—(*Mr. Barton.*)

Question proposed, "That those words be there inserted" 1085

After Debate, Question put :—The Committee divided :—Ayes 141 ; Noes 198.—(Division List, No. 193) 1101

Amendment proposed, in page 1, line 6, after the word "determined," to insert the words "otherwise than by way of breach of statutory conditions 2 to 6,"—(*Mr. Barton.*)

Question proposed, "That those words be there inserted" 1103

After short Debate, it being Midnight, the Chairman left the Chair to make his report to the House 1105

Committee report Progress ; to sit again To-morrow.

EVICTED TENANTS (IRELAND) ARBITRATION [GUARANTEE AND EXPENSES]—

Considered in Committee.

(In the Committee.)

Motion made, and Question proposed,

"That it is expedient to authorise the Treasury to guarantee advances, not exceeding £250,000, charged on the Irish Church Temporalities Fund, in pursuance of any Act of the present Session to make provision for the restoration of Evicted Tenants in Ireland, and to charge the sums required to meet such guarantee on the Consolidated Fund of the United Kingdom :

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And to authorize the payment, out of moneys to be provided by Parliament, of any salaries, remuneration, and expenses which may become payable under the said Act,
—(*Sir J. T. Hibbert.*)

Motion made, and Question, “That the Chairman do report Progress, and ask leave to sit again,”—(*Mr. T. W. Russell.*)—put, and *agreed to.*

Committee report Progress ; to sit again To-morrow.

Prize Courts Bill [*Lords*] (No. 311)—

Order for Second Reading read.

Objection being taken, Second Reading deferred till To-morrow ... 1106

Heritable Securities (Scotland) (*re-committed*) Bill (No. 316)—COMMITTEE [*Progress, 23rd July.*]

Bill considered in Committee.

(In the Committee.)

Clause 1.

Motion made, and Question proposed, “That the Chairman do report Progress, and ask leave to sit again,”—(*Mr. Banbury.*)

Motion *agreed to.*

Committee report Progress ; to sit again To-morrow.

Canal Tolls and Charges Provisional Order (No. 1) (Canals of Great Northern and other Railway Companies) Bill (No. 178)—As amended, considered ; to be read the third time To-morrow.

Canal Rates, Tolls, and Charges Provisional Order (No. 2) (Bridgewater, &c. Canals) Bill (No. 198)—As amended, considered ; to be read the third time To-morrow 1107

Canal Tolls and Charges Provisional Order (No. 3) (Aberdare, &c. Canals) Bill (No. 215)—As amended, considered ; to be read the third time To-morrow.

Canal Tolls and Charges Provisional Order (No. 5) (Regent's Canal) Bill (No. 253)—As amended, considered ; to be read the third time To-morrow.

Canal Tolls and Charges Provisional Order (No. 7) (River Ancholme, &c.) Bill (No. 263)—As amended, considered ; to be read the third time To-morrow.

Canal Tolls and Charges Provisional Order (No. 8) (River Cam, &c.) Bill (No. 264)—As amended, considered ; to be read the third time To-morrow.

Canal Tolls and Charges Provisional Order (No. 10) (Canals of the Caledonian and North British Railway Companies) Bill (No. 266)—As amended, considered ; to be read the third time To-morrow.

Canal Rates, Tolls, and Charges Provisional Order (No. 12) (Grand, &c. Canals) Bill (No. 268)—As amended, considered ; to be read the third time To-morrow.

MESSAGE FROM THE LORDS—

That they have passed a Bill intituled “An Act to further amend The Industrial Schools Act, 1866.” [*Industrial Schools Bill [Lords].*]

Industrial Schools Bill [*H.L.*—Read the first time ; to be read a second time upon Monday next, and to be printed. [Bill 335.]

Consolidated Fund (No. 3) Bill—Read a second time, and committed for To-morrow.

Market Gardeners' Compensation Bill (No. 305)—Order for Consideration, as amended by the Standing Committee, read, and discharged ... 1108

Bill withdrawn.

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Heritable Securities (Scotland) (*re-committed*) Bill (No. 316)—Considered in Committee; Committee report Progress; to sit again To-morrow.

FEUS AND BUILDING LEASES (SCOTLAND) —

Report from the Select Committee, with Minutes of Evidence and Appendix, brought up, and read.

Report to lie upon the Table, and to be printed. [No. 238.]

SELECT COMMITTEES—

Return ordered, “of the number of Select Committees, appointed in the Session of 1894, including the Standing Committees and the Court of Referees; the subjects of inquiry; the names of the Members appointed to serve on each and the Chairman of each; the number of days each Committee met, and the number of days each Member attended; the total expense of the attendance of Witnesses at each Select Committee, and the name of the Member who moved for such Select Committee; also the total number of Members who served on Select Committees (in the same form as, and in continuation of, Parliamentary Paper, No. 0.175, of Session 1893-94),”—(*Mr. J. E. Ellis.*)

ADJOURNMENT MOTIONS UNDER STANDING ORDER 17—

Return ordered, “of Motions for Adjournment under Standing Order No. 17, showing the date of such Motion, the name of the Member proposing the definite matter of urgent public importance, and the result of any division taken thereon in the Session 1894 (in the same form as, and in continuation of, Parliamentary Paper, No. 99, of Session 1894),”—(*Mr. J. E. Ellis.*)

CLOSURE OF DEBATE (STANDING ORDER 25)—

Return ordered, “respecting application of Standing Order No. 25 (Closure of Debate) during Session 1894 (in the same form as, and in continuation of, Parliamentary Paper, No. 57, of Session 1894),”—(*Mr. J. E. Ellis.*)

LORDS, FRIDAY, JULY 27.

Finance Bill (No. 168)—

House in Committee (according to Order) 1109

After short Debate, Bill reported without amendment; Standing Committee negatived; and Bill to be read 3^a on Monday next 1110

Licensing Bill—

Bill to amend the Licensing Act, 1872—*Presented (The Lord Norton.)*

After short Debate, Bill read 1^a; and to be printed (No. 181) 1113

Chimney Sweepers Bill (No. 132)—

House in Committee (according to Order.)

Amendments made.

Bill re-committed to the Standing Committee; and to be printed as amended. (No. 182) 1114

Nautical Assessors (Scotland) Bill (No. 179)—

Order of the Day for the Second Reading, read.

Moved, “That the Bill be now read 2^a,”—(*The Lord Tweedmouth.*)

Motion *agreed to*; Bill read 2^a accordingly, and committed to a Committee of the Whole House on Monday next 1115

Public Libraries (Ireland) Acts Amendment Bill (No. 180)—

Order of the Day for the Second Reading, read.

Moved, “That the Bill be now read 2^a,”—(*The Lord Tweedmouth.*)

Motion *agreed to*; Bill read 2^a accordingly, and committed to a Committee of the Whole House on Monday next 1116

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Local Government Provisional Orders (No. 15) Bill (No. 126)—Read 3^d (according to Order), with the Amendment, and passed, and returned to the Commons.

STATUTE LAW REVISION BILLS AND CONSOLIDATION BILLS—

The Lord Welby added to the Joint Committee: And a Message ordered to be sent to the House of Commons to acquaint them therewith, and to request them to add one of their Members to the said Joint Committee.

Prevention of Cruelty to Children Bill [H.L.] (No. 166)—House in Committee (according to Order): The Amendments proposed by the Joint Committee made: Standing Committee negatived: The Report of Amendments to be received on Monday next.

Copyhold (Consolidation) Bill [H.L.] (No. 171)—Amendments reported (according to Order), and Bill to be read 3^d on Monday next.

Parochial Electors (Registration Acceleration) Bill (No. 174)—Read 3^d (according to Order), with the Amendments, and passed, and returned to the Commons.

BUSINESS OF THE HOUSE—

Standing Order No. XXXIX. to be considered on Monday next, in order to its being dispensed with for that day's Sitting.

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Evicted Tenants (Ireland) Arbitration Bill (No. 176)—COMMITTEE—	
[<i>Progress, 26th July</i>] 1146
Bill considered in Committee.	
(In the Committee.)	
Clause 1.	
Amendment proposed, in page 1, line 6, after the word “determined,” to insert the words “otherwise than for breach of statutory conditions 2 to 6,”—(<i>Mr. Barton.</i>)	
Question again proposed, “That those words be there inserted.”	
Debate resumed.	
After Debate, Mr. J. Morley rose in his place, and claimed to move, “That the Question be now put” 1155
Question put, “That the Question be now put.”	
The Committee divided :—Ayes 175 ; Noes 119. — (Division List, No. 194.)	
Question put accordingly, “That those words be there inserted.”	
The Committee divided :—Ayes 131 ; Noes 177. — (Division List, No. 195.)	
Amendment proposed, in page 1, line 6, after the word “determined,” to insert the words “otherwise than by voluntary surrender,”—(<i>Mr. W. Kenny.</i>)	
Question proposed, “That those words be there inserted” 1156
After short Debate, Question put :—The Committee divided :—Ayes 144 ; Noes 190.—(Division List, No. 196) 1159
Amendment proposed, in page 1, line 6, after the word “determined,” to insert the words “otherwise than on a purchase by the landlord of the tenant’s interest,”—(<i>Viscount Wolmer.</i>)	
Question proposed, “That those words be there inserted.”	
After short Debate, Question put :—The Committee divided :—Ayes 143 ; Noes 198.—(Division List, No. 197) 1163
Amendment proposed, in page 1, line 6, after the word “determined,” to insert the words	
“otherwise than in pursuance of an order of a Judge of the High Court of Justice where a Receiver has been appointed by the High Court,”—(<i>Mr. Barton.</i>)	
Question proposed, “That those words be there inserted” 1164
After Debate, Question put :—The Committee divided :—Ayes 113 ; Noes 171.—(Division List, No. 198) 1172
Amendment proposed, in page 1, line 6, to leave out the words “the first day of May one thousand eight hundred and seventy-nine,” in order to insert the words “the thirty-first day of October one thousand eight hundred and eighty-two,”—(<i>Mr. Hanbury.</i>)	
Question proposed, “That the words proposed to be left out stand part of the Clause” 1174
After Debate, Question put :—The Committee divided :—Ayes 137 ; Noes 72.—(Division List, No. 199) 1179

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EVICTED TENANTS (IRELAND) ARBITRATION BILL—*continued.*

Amendment proposed, in page 1, line 7, after the words “seventy-nine,” to insert the words “and before the twenty-third day of May one thousand eight hundred and eighty-seven,”—(*Mr. Barton.*)

Question proposed, “That those words be there inserted” ... 1181

After Debate, Question put :—The Committee divided :—Ayes 103 ;
Noes 158.—(Division List, No. 200) ... 1197

Amendment proposed, in page 1, line 7, after the words “seventy-nine,” to insert the words “and the former tenant thereof is now resident in Ireland,”—(*Mr. Hanbury.*)

Question proposed, “That those words be there inserted” ... 1199

After Debate, Amendment proposed to the proposed Amendment, after the word “thereof,” to insert the words “or his personal representative,”—(*Mr. J. Chamberlain*) ... 1208

Question proposed, “That those words be there inserted in the proposed Amendment” ... 1212

After short Debate, Question put, and *agreed to* ... 1215

Amendment proposed to the proposed Amendment, after the word “resident,” to insert the words “or domiciled,”—(*Mr. Barton.*)

Question proposed, “That those words be there inserted in the proposed Amendment.”

After short Debate, Question put, and *agreed to* ... 1218

Question put, “That the words ‘and the former tenant thereof, or his personal representative, is now resident or domiciled in Ireland’ be there inserted.”

The Committee divided :—Ayes 110 ; Noes 165.—(Division List, No. 201.)

It being after Midnight, the Chairman left the Chair to make his report to the House.

Committee report Progress ; to sit again upon Monday next.

Parochial Electors (Registration Acceleration) Bill (No. 282)—Lords Amendments considered ; amendments *agreed to.*

Canal Tolls and Charges Provisional Order (No. 1) (Canals of Great Northern and other Railway Companies) Bill (No. 178)—Read the third time, and passed.

Canal Rates, Tolls, and Charges Provisional Order (No. 2) (Bridgewater, &c. Canals) Bill (No. 198)—Read the third time, and passed.

Canal Tolls and Charges Provisional Order (No. 3) (Aberdare, &c. Canals) Bill (No. 215)—Read the third time, and passed

Canal Tolls and Charges Provisional Order (No. 5) (Regent's Canal) Bill (No. 263)—Read the third time, and passed.

Canal Tolls and Charges Provisional Order (No. 7) (River Ancholme, &c.) Bill (No. 263)—Read the third time, and passed.

Canal Tolls and Charges Provisional Order (No. 8) (River Cam, &c.) Bill (No. 264)—Read the third time, and passed ... 1219

Canal Tolls and Charges Provisional Order (No. 10) (Canals of the Caledonian and North British Railway Companies) Bill (No. 266)—Read the third time, and passed.

Canal Rates, Tolls, and Charges Provisional Order (No. 12) (Grand, &c., Canals) Bill (No. 268)—Read the third time, and passed.

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Elementary Education Provisional Orders Confirmation (Barry, &c.) Bill [*Lords*] (**No. 310**)—Reported, with Amendments [Provisional Orders confirmed]; as amended, to be considered upon Monday next.

Education Provisional Order Confirmation (London) Bill [*Lords*] (**No. 300**)—Reported, with Amendments [Provisional Order confirmed]; as amended, to be considered upon Monday next.

Local Government (Scotland) Bill (No. 202)—Reported from the Standing Committee (Scotland).

Report to lie upon the Table, and to be printed. [No. 243.]

Minutes of Proceedings to be printed. [No. 243.]

Bill, as amended in the Standing Committee, to be taken into consideration upon Thursday next, and to be printed. [Bill 337.]

PETROLEUM [INQUIRY NOT COMPLETED]—

Report from the Select Committee, with Minutes of Evidence, brought up, and read.

Report to lie upon the Table, and to be printed. [No. 244.]

Larceny Act Amendment Bill [*Lords*]—Read the first time; to be read a second time upon Tuesday next, and to be printed. [Bill 338.]

... 1220

MESSAGE FROM THE LORDS—

That they have agreed to—

Parochial Electors (Registration Acceleration) Bill, with Amendments.

That they have passed a Bill, intituled, “An Act to amend the Valuation of Lands (Scotland) Acts in regard to the duties of the Assessor of Railways and Canals,” [Valuation of Lands (Scotland) Acts Amendment Bill [*Lords*].]

Convention of Royal Burghs (Scotland) Act (1879) Amendment Bill—Ordered (*Mr. Parker Smith, Dr. Clark, Mr. Cochrane, Mr. Donald Crawford, Mr. Renshaw*):—Bill presented, and read first time. [Bill 339.]

Consolidated Fund (No. 3) Bill—Considered in Committee, and reported, without Amendment; to be read the third time upon Monday next.

EVICTED TENANTS (IRELAND) ARBITRATION [GUARANTEE AND EXPENSES]—Considered in Committee.

(In the Committee.)

Question again proposed,

“That it is expedient to authorise the Treasury to guarantee advances, not exceeding £250,000, charged on the Irish Church Temporalities Fund, in pursuance of any Act of the present Session to make provision for the restoration of Evicted Tenants in Ireland, and to charge the sums required to meet such guarantee on the Consolidated Fund of the United Kingdom :

And to authorise the payment, out of moneys to be provided by Parliament, of any salaries, remuneration, and expenses which may become payable under the said Act,” —(*Sir J. T. Hibbert*.)

Committee report Progress; to sit again upon Monday next.

LORDS, MONDAY, JULY 30.

BUSINESS OF THE HOUSE—

Standing Order No. XXXIX. considered (according to Order), and dispensed with for this day's Sitting.

Boards of Conciliation Bill [H.L.] (No. 112)—

Bill read 3^a (according to Order) ... 1221

After short Debate, an Amendment *agreed to* ... 1222

Bill passed, and sent to the Commons.

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Finance Bill (No. 168)—

Order of the Day for the Third Reading, read.

Moved, "That the Bill be now read 3^a,"—(*The Earl of Rosebery*.)

After Debate, Motion *agreed to*; Bill read 3^a accordingly, and *passed* ... 1234

Public Libraries (Ireland) Acts Amendment Bill (No. 180)—

House in Committee (according to Order).

After short Debate, Bill reported, without Amendment; and re-committed to the Standing Committee ... 1236

THE NEW ZEALAND LEGISLATURE—Question, The Earl of Onslow; Answer, The Secretary of State for the Colonies (The Marquess of Ripon).

Parochial Electors (Registration Acceleration) Bill (No. 174)—Returned from the Commons with the Amendments agreed to.

Prevention of Cruelty to Children Bill [H.L.] (No. 178)—Amendments reported (according to Order); further Amendments made; and Bill to be read 3^a To-morrow.

Copyhold (Consolidation) Bill [H.L.] (No. 171)—Read 3^a (according to Order), and passed, and sent to the Commons.

Nautical Assessors (Scotland) Bill (No. 179)—House in Committee (according to Order); Bill reported without Amendment; and re-committed to the Standing Committee.

Consolidated Fund (No. 3) Bill—Brought from the Commons; read 1^a; Then (Standing Order No. XXXIX. having been dispensed with for this day's Sitting) read 2^a; Committee negatived; Bill read 3^a, and passed.

Canal Tolls and Charges Provisional Order (No. 1) (Canals of the Great Northern and certain other Railway Companies) Bill—Brought from the Commons; read 1^a; to be printed; and referred to the Examiners. (No. 184) ... 1237

Canal Rates, Tolls, and Charges Provisional Order (No. 2) (Bridgewater, &c., Canals) Bill—Brought from the Commons; read 1^a; to be printed; and referred to the Examiners. (No. 185.)

Canal Tolls and Charges Provisional Order (No. 3) (Aberdare, &c., Canals) Bill—Brought from the Commons; read 1^a; to be printed; and referred to the Examiners. (No. 186.)

Canal Tolls and Charges Provisional Order (No. 5) (Regent's Canal) Bill—Brought from the Commons; read 1^a; to be printed; and referred to the Examiners. (No. 187.)

Canal Tolls and Charges Provisional Order (No. 7) (River Ancholme, &c.) Bill—Brought from the Commons; read 1^a; to be printed; and referred to the Examiners. (No. 188.)

Canal Tolls and Charges Provisional Order (No. 8) (River Cam, &c.) Bill—Brought from the Commons; read 1^a; to be printed; and referred to the Examiners. (No. 189.)

Canal Tolls and Charges Provisional Order (No. 10) (Canals of Caledonian and North British Railway Companies) Bill—Brought from the Commons; read 1^a; to be printed; and referred to the Examiners. (No. 190.)

Canal Rates, Tolls, and Charges Provisional Order (No. 12) (Grand, &c., Canals) Bill—Brought from the Commons; read 1^a; to be printed; and referred to the Examiners. (No. 191) ... 1238

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CIVIL SERVICES AND REVENUE DEPARTMENTS, 1894-5.

THIRD VOTE ON ACCOUNT.

Motion made, and Question proposed,

"That a further sum, not exceeding £3,583,150, be granted to Her Majesty, on account, for or towards defraying the Charges for the following Civil Services and Revenue Departments for the year ending on the 31st day of March, 1895, namely (<i>see Debates</i>)	1273
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Zanzibar Indemnity.

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Motion made, and Question proposed,

“That the proceedings in Committee and on Report, and on the Resolution relating to Guarantees and Expenses, on the Evicted Tenants (Ireland) Arbitration Bill, unless previously disposed of, shall be brought to a conclusion at the times and in the manner hereinafter mentioned :—

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CIVIL SERVICES AND REVENUE DEPARTMENTS, 1894–95.

(THIRD VOTE ON ACCOUNT.)

“That a further sum, not exceeding £3,583,150, be granted to Her Majesty, on account, for or towards defraying the Charges for the following Civil Services and Revenue Departments for the year ending on the 31st day of March 1895.”—[See page 1273] 1447

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Industrial Schools Bill [<i>Lords</i>] (No. 335)—Considered in Committee, and reported, without Amendment ; read the third time, and passed, without Amendment.	
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COMMONS, WEDNESDAY, AUGUST 1.

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EVICTED TENANTS (IRELAND) ARBITRATION [GUARANTEE AND EXPENSES]—	
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“That it is expedient to authorise the Treasury to guarantee advances, not exceeding £250,000, charged on the Irish Church Temporalities Fund, in pursuance of any Act of the present Session to make provision for the restoration of Evicted Tenants in Ireland, and to charge the sums required to meet such guarantee on the Consolidated Fund of the United Kingdom :	
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THE
PARLIAMENTARY DEBATES
(Authorised Edition)

IN THE
THIRD SESSION OF THE TWENTY-FIFTH PARLIAMENT OF
THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND
APPOINTED TO MEET 12 MARCH 1894, IN THE FIFTY-SEVENTH YEAR OF
THE REIGN OF
HER MAJESTY QUEEN VICTORIA.

SIXTH VOLUME OF SESSION 1894.

HOUSE OF LORDS.

Monday, 16th July 1894.

PIER AND HARBOUR PROVISIONAL
ORDER (No. 3) BILL.—(No. 139.)

Read 3^a (according to Order), and
passed.

PIER AND HARBOUR PROVISIONAL
ORDERS (No. 4) BILL.—(No. 142.)

Read 3^a (according to Order), and
passed.

LOCAL GOVERNMENT PROVISIONAL
ORDERS (No. 11) BILL.—(No. 121.)

Read 3^a (according to Order), with
the Amendment, and passed, and re-
turned to the Commons.

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LOCAL GOVERNMENT PROVISIONAL
ORDERS (No. 13) BILL.—(No. 125.)

Read 3^a (according to Order), with
the Amendments, and passed, and re-
turned to the Commons.

INDUSTRIAL SCHOOLS BILL [H.L.]
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House in Committee (according to
Order): Bill reported without Amend-
ment; and re-committed to the Standing
Committee.

LOCOMOTIVE THRESHING ENGINES
BILL.—(No. 158.)

Amendments reported (according to
Order), and Bill to be read 3^a To-morrow.

STATUTE LAW REVISION BILL [H.L.]
(No. 161.)

Read 2^a (according to Order); and
referred to the Joint Committee on
Statute Law Revision Bills and Consoli-
dation Bills.

B

COAL MINES (CHECK WEIGHER) BILL.

[H.L.].—(No. 153.)

House in Committee (according to Order): Bill reported without Amendment; and re-committed to the Standing Committee.

House adjourned at twenty-five minutes before Five o'clock, till To-morrow, half-past Five o'clock.

HOUSE OF COMMONS,

Monday, 16th July 1894.

PRIVATE BUSINESS.

LONDON STREETS AND BUILDINGS BILL (*by Order*).

Motion made, and Question proposed, "That, in the case of the London Streets and Buildings (*re-committed*) Bill, Standing Orders 84, 214, 215, and 239 be suspended, and that the Bill be now taken into consideration provided amended prints shall have been previously deposited."

MR. HOWELL (Bethnal Green, N.E.) moved to leave out all the words after "be," in order to insert "considered upon this day three months." He said he must ask the indulgence of the House in the somewhat difficult task he had undertaken. The Committee to which the Bill had been referred had been appointed on his own Motion, and he was bound to say that the Members of that Committee had done their work in a most exemplary manner. If he objected to the Bill in its present form it was rather because of the materials upon which the Committee had to work than because of anything that was done or left undone by the Committee. He hoped, therefore, that the Members of the Committee would not take offence at his action. He objected to the policy which had been pursued in regard to this Bill. He was of opinion that a great province like London ought to be governed not by Private Bill legislation, but by Public Acts. In the present instance the Public Acts, nine in number, under which London had been governed for a

great many years, were proposed to be repealed. One of the counsel representing the London County Council before the Committee stated that the Bill covered many thousands of cases, and affected the interests of a vast population. The policy of the House had been for very many years past not to resort to Private Bill legislation, but, on the contrary, to substitute as far as possible Public for Private Bills. This policy had been carried out in the Railway Clauses Consolidation Act, the Lands Clauses Consolidation Act, the Municipal Corporations Act, and similar measures. Recently a Bill was carried through the House without opposition for the purpose of embodying in a Public Act many of the provisions that had been put in a Private Act by a Committee upstairs. This showed that the tendency of the House was to minimise Private Bill legislation as far as possible, and to maximise Public Statute Law in regard to these matters. All the great municipal towns in the country were governed by the Municipal Corporations Act, but that Act did not apply to London. The Acts under which London had been governed were the Metropolis Management Acts, which would be practically repealed, and the Buildings Acts, which would be repealed by this Bill. As some Members did not agree with him as to the importance of substituting public for private law in regard to the government of London, he would give some reasons why this should be done. In the first place, public law was known, or might have been known, to every person in the land. Public Bills were discussed in the House and held over from time to time in order that they should be thoroughly understood, while every Member could get a copy of a Public Bill, and everything in connection with it was done publicly and aboveboard. Very few Members of the House, however careful they might be to watch the proceedings, could by any possibility keep pace with Private Bill legislation, which was relegated to Committees upstairs. It was a very difficult thing for a Member of the House to get a copy of a Private Bill, and there was a greater amount of what he might venture to call, not in the bad sense of the term, secrecy in the mode in which Private Bill legislation was carried on. This was necessarily so, because no Member could

keep his eyes upon all the Private Bills. He felt that as regarded London it was more important to have public legislation than it was to have it with regard to any Municipal Corporation in the country. All the great towns except London had the Municipal Corporations Act to fall back upon, and all Private Bill legislation must be in conformity with that Act. If any Private Bill did not conform with the Municipal Corporations Acts a Report had to be made to the House with regard to the divergence from that Act. In the present case, though the Bill before the House was one of vast importance, and though it proposed to repeal some nine or 10 Public Acts, no Report whatever had been presented by the Local Government Board with regard to the clauses of the Bill, and their bearing upon the public law. Perhaps it might be that the Local Government Board felt that in this particular instance, as the proposal of the promoters was to repeal all the public Acts referred to, it was not necessary to make a Report to the House upon it, but he thought this was all the more reason why there should have been a Report as to the nature of the changes made by the Bill. He might remind his hon. Friend the Member for Shoreditch (Mr. Stuart) that he had followed him into the Lobby over and over again when complaint had been made with regard to action taken under Private Acts, because he felt that it was absolutely necessary to watch Private Bill legislation where it touched public rights. It might be suggested that the London County Council was so far superior to the Municipalities of the Kingdom that it would not degenerate into some of the proposals that came before the House. He was not so sure of that, but in any event he did not accept the plea that it was less important to have public law for London than it was to have public law for the Municipalities of the Kingdom, or that the London County Council was less likely to go wrong than the Municipalities. If any interest were adversely affected by this Bill it would not be possible to call upon a Member to bring forward an amending Bill, as the only chance of effecting an Amendment would be by putting into motion the expensive and costly enactment of Private Bill legislation. It was almost impossible

for any interest, however large, except those represented by wealthy Corporations and companies, to call into existence that machinery. The present Bill affected a vast variety of interests all over the Metropolis, and if those interests were injured all they could do would be to resort to Private Bill legislation, and the ratepayers of London would be mulcted in a portion of the expenses, whilst the private interest affected would have to pay twice over. Had the Bill passed in its original form he believed that London would have been up in arms, as the interests that would have been interfered with would have been of a vast character. The Bill had been shorn by the Committee of some of its worst features. In the form in which it passed the Second Reading the measure absolutely proposed that the County Council should be able to make bye-laws of any kind irrespective of the Act, and the Committee had put in a clause providing that such bye-laws should only be valid subject to the provisions of the Act. He would remind the House that the General Powers Bill of the London County Council had also to be amended by the House, and it was obvious that it was absolutely necessary for Members to watch the London County Council. He had all through been a supporter of the London County Council, believing as he did that it was going to do great things for London. It was because he held that belief, however, that he thought Members ought to watch the County Council and see that they did not take a false step. The Bill was an immensely better Bill since it had been amended by the Committee, and had it been a Public Bill he would not have raised his voice against it. He felt that the action he had taken earlier in the Session had been justified by the results. He would mention one point to show how careful Members ought to be in regard to putting into Private Acts conditions that had hitherto been in Public Acts. Members who knew anything about architecture knew what "footing" meant. The footing of a house meant the absolute foundation of the walls on which the House stood. Without a footing the house would topple over and fall to pieces. On the suggestion of counsel representing the Duke of Westminster, power was given by the Committee to the London County Council

to dispense with "footing" subject to the approval of the surveyors in the various districts of London. He thought this was a dangerous power, and no such power existed under the Acts proposed to be repealed by the Bill. Apart, however, from any defects in the Bill itself, he objected to the Bill as a matter of public policy on the ground of its being a substitute for a number of Public Acts that had been on the Statute Book for many years. If he could have proposed that this Bill could have been transformed into a Public Bill, or that after its passage it could be published amongst the Public Statutes, it would have removed some difficulties he felt with regard to it; but, as it was, he felt he had no other course open to him but to move that the Bill be considered that day three months.

MR. A. C. MORTON (Peterborough) seconded the Amendment.

Amendment proposed, to leave out from the word "That," to the end of the Question, in order to add the words "the Bill be considered upon this day three months."—(Mr. Howell.)

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. STUART-WORTLEY (Sheffield, Hallam) said, that the discussion started by the hon. Member was essentially of an academic character. He (Mr. Stuart-Wortley) could hardly believe that at this late stage the fruits of the laborious inquiry which had taken place, and the great expenditure that had been incurred, should be entirely cast away by a vote of the House. He thought it right that the House should be reminded that there was perhaps no Member of the House who was less entitled to propose the Amendment than the hon. Member himself. Not only could it be argued in regard to what the hon. Member had said that the House was fully seised of the particular issue stated by the hon. Member when it read the Bill a second time, but it could be pointed out that its attention was specially drawn by the hon. Member himself to the particular aspect of the question raised by the hon. Member. The hon. Member's opposition was finally withdrawn on terms practically of his own choosing, which were

Mr. Howell

that the Bill should be referred, not to the ordinary Private Bill Committee of four Members, but to a Hybrid Committee consisting of an exceptionally large number of Members. The Bill now came before the House for consideration, after having been examined by the Hybrid Committee, and it was under such circumstances that the hon. Member raised this discussion. Having had a Parliamentary experience as long as that of the hon. Member, and having presided over the Committee which considered the Bill, he (Mr. Stuart-Wortley) did not think the precedents quoted by the hon. Member in support of his view at all applied to the case. The regulations applicable to streets and buildings in provincial boroughs were almost invariably contained, not in Public but in Private Acts. It was obvious that a Bill of this kind, whether it were called a Public or a Private Bill, must be brought in upon notice, must go before the examiners, and must be referred not to a Committee of the House, but to a Hybrid Committee, having the power to hear witnesses, and so on. The labour and trouble that had to be gone through was greater in regard to Private Bills than in regard to Public Bills. While there was the same lengthy discussion before the Committee, the same expense incurred, and the procedure up to this point practically identical, he would like to ask the House to consider what was the difference of the fate of the Bill on subsequent stages. It was this: In the case of a Public Bill the subsequent fate of it, after all that labour and expense expended upon it, might be to make it the sport of the political exigencies of the Session, whereas in regard to a Private Bill, it was sure of its opportunity of being considered. Under all the circumstances, he asked the House to say that this Bill had received not only ordinary discussion, but even more than the ordinary discussion given to Public bills, and therefore to treat this Motion of the hon. Member as having no doubt raised a subject of great academic importance, but not as one requiring the serious consideration of the House.

MR. COHEN (Islington, E.) said, he rarely had the pleasure of finding himself in sympathy with members of the London County Council; but as his name appeared upon the back of the Bill, he

would appeal to the hon. Gentleman not to press the Motion he had made. As his hon. Friend was aware, he (Mr. Cohen) had condemned the resort to Private Bills to the somewhat clandestine and somewhat costly process of Private Bill legislation; but he hoped that his hon. Friend would on this occasion be content with the discussion he had raised. This Bill was not only not condemned, but was approved by his hon. Friend opposite, and advocated by him in *The Times* on the 5th April. The interests of the people of London were affected by this Bill in such a way as he hoped would lead the House to support the measure. It was true that it repealed some Acts of Parliament which were passed in 1844, 1855, 1860, 1861, 1862, 1869, and 1871, but he would ask his hon. Friend, if this Bill before them was the good and urgent Bill he admitted, if it was a legitimate Bill, and one founded on an equitable basis, whether they ought to wait until they could repeal those Acts of Parliament by incorporating into a Public Bill the provisions contained in the present Bill, or whether they should not proceed as they had done with the Bill before the House? The House of Commons was now congested with a pressure of business such as was never known in the days when those Acts were passed. The Bill was one in the interests, almost, of humanity, and therefore he thought they ought not to reject it on the mere technical ground of procedure.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. SHAW-LEFEVRE, Bradford, Central) said, he entirely agreed with what had fallen from the hon. Member opposite with regard to this Bill, and he thought it would be a great misfortune if, after all the labour expended upon the Bill by the Committee which was presided over by the hon. Member for Sheffield (Mr. Stuart-Wortley), they were to reject the Bill. By a very fortunate circumstance, it had been possible to deal with a most important matter by a Private Bill. The hon. Gentleman who moved the rejection of the Bill having moved that the Bill should be referred to a Hybrid Committee instead of to an ordinary Committee, he thought the hon. Gentleman ought not now to object to the measure. He hoped the House would pass the present stage of the Bill.

Question put, and agreed to.

Main Question put, and agreed to.

Bill considered.

Mr. WEIR (Ross and Cromarty) said, the new clause standing in his name, he thought, would receive the support of every Member of the House. Sometime ago he moved an Instruction to the Committee that it should consider the question, but the House thought it would result in the loss of the Bill; but this clause simply asked that after the passing of the Act the site and premises should be drained in such a way as to carry away all surface water, and that the drainage should be done to the satisfaction of the Local Authority. The only interest that was not protected by this clause was that of the dishonest builder and the dishonest surveyor, and the sooner they took action to prevent dishonest people putting in bad and improper work the better. He could not conceive how the promoters of a Bill, which was in Committee 22 days, and before whom were called an army of experts, could allow a Bill of 214 clauses to pass without noticing this first and most important matter in the construction and building of a house. What was the value of a house if the water was soaking through the flooring and through the walls, laying the seeds of disease and rheumatism, diphtheria, typhoid, and many other diseases? The large majority of the houses in the suburbs of London were affected with damp through not protecting the premises from surface drainage. If they went to the County Council they were told they had no power, and the Local Authority said the same thing. Of course, they might be told that the bye-laws of the County Council were approved by the Home Secretary, and that they could provide that the site of the House should be covered with concrete for at least six feet. He had here a sample of concrete he had taken from the floor of a house, and this material was composed of coke, breeze, cinders, earthy matter, and a little lime. He had to hold it in the most careful manner because it crumbled and was not concrete at all. He was afraid that in a large number of cases no provision was made for concrete, and one was inclined

to ask where the district surveyor was and what were the Local Authorities doing? He thought some provision should be made through this Bill to give power to the Local Authority or the County Council to see that these sites were free from damp, so that the health of the people might be preserved. All he asked was that those in charge of this Bill should insert some clause that would prevent the dangerous work of these builders being carried out. When this state of things existed in the better class of houses, what could it be in the houses of city clerks and working men? And there were tens of thousands of such houses which were in a most insanitary condition and bad to an alarming extent. He would not occupy the time of the House longer, but he hoped that those in charge of the Bill would not now, as on the former occasion, object on the ground that the Bill was already overloaded. A month ago he was told the Bill was overloaded, and that his Instruction would render its passage impossible, but since then they had added 22 clauses to it.

New Clause—

(Drainage of Sites of Houses.)

"The site of every house and premises to be built after the passing of this Act shall be drained in such a manner as to carry away all surface water, and such drainage shall be done to the satisfaction of the Local Authority."—*(Mr. Weir.)*

Clause brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

MR. J. STUART said, that perhaps it would be for the convenience of the House if he said at once they must oppose the introduction of this clause. The Bill was a very large one, and they had just managed to carry the consideration of it against a complaint that it was already too large. This clause would greatly enlarge the scope of it, and whatever views they might have as to the policy of such legislation and its desirability, he must confess it would be impossible to introduce a clause of this kind into the Bill without very careful examination by the Committee, and if it had been placed before the Committee it would have accepted it for a considerable time longer. The House objected

Mr. Weir

formerly to the Instruction on the grounds he was now pleading, and, therefore, he felt it his duty to oppose the clause.

Question put, and negatived.

*SIR C. DILKE (Gloucester, Forest of Dean) said, the clause next on the Paper was the ordinary devolution clause which had now been placed in the hands of all District Councils and Parish Councils created by the Local Government Act. If, therefore, the circumstances of London were such as to make it desirable this power of devolution should exist, this clause ought to be inserted, and he believed there would be no opposition to it in another place. Dr. Longstaff was favourable to the clause, though he could not say what views those who represented the County Council in the House took in the matter.

After Clause 210, insert the following Clause:—

(Transfer of Powers to Local Authority.)

210A. "After the passing of this Act it shall be lawful for the Council on the application of any Local Authority to transfer to such Local Authority any of the powers conferred by this Act upon the Council, and thereupon all the provisions of this Act and all bye-laws made thereunder relating to powers so transferred shall be construed as if the Local Authority were named therein instead of the Council."—*(Sir C. Dilke.)*

Clause brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

*MR. WHITMORE (Chelsea) trusted the London County Council would accept this new clause. When it was attempted to move it in the Committee, of which he was a Member, it was ruled out of Order on a purely technical point, and he did not think that any Members of the Committee had any objection to it on any ground of principle. For his part, he most heartily concurred that it was a proper addition to the Bill, and if added would be very acceptable to all the Local Authorities throughout London.

MR. J. STUART said, he could not accept the addition of this clause, at any rate at the present stage, and if there was a desire to raise the question before the Committee in another place it could be done. He could not feel it was germane to the present Bill, as it made a very considerable alteration, and if such

an alteration was to be made it should be made in other Bills. He would ask the House not to interfere with the Bill as it passed through the Committee.

SIR J. LUBBOCK (London University) thought there was much force in the proposal of the right hon. Gentleman the Member for the Forest of Dean (Sir C. Dilke), but he would appeal to him not to press the matter now, as it might be dealt with in another place. He had great confidence in the opinion of Dr. Longstaff in this matter; but he hoped it would not be pressed now, and that the Bill might be allowed to go to another place as it stood.

SIR C. DILKE said, he would accept the suggestion.

Motion and Clause, by leave, withdrawn.

Ordered, That Standing Orders 223 and 243 be suspended, and that the Bill be now read the third time.—(*Mr. J. Stuart.*)

Bill read the third time, and passed.

QUESTIONS.

EXPORT OF OPIUM TO CHINA.

MR. J. E. ELLIS (Nottingham, Rushcliffe): I beg to ask the Secretary of State for India what was the number of chests of opium sold for export to China during the months of April and May in the years 1893 and 1894 respectively?

THE SECRETARY OF STATE FOR INDIA (Mr. H. H. FOWLER, Wolverhampton, E.): The total exportation of Indian opium to China and the Straits in April, 1893, was 5,266 chests, and in May, 1893, 5,074 chests. In April, 1894, it was 4,839 chests. The figures for May, 1894, have not yet been received.

CRIMINAL APPEALS AT SALEM.

MR. CROSFIELD (Lincoln): I beg to ask the Secretary of State for India whether he is aware that in a large number of criminal appeals preferred by convicts in the Central Gaol, Salem, to the Headquarters' Deputy Magistrate of Salem since January, 1893, the results of the appeals were not communicated to the gaol authorities until after the re-

lease of the several appellants from gaol, on the expiration of their respective terms of imprisonment, and that in certain cases convicts were detained in prison beyond the period of their sentence pending the disposal of their appeal; whether, notwithstanding that precise details as to these cases, collected from official documents, had been published in the local papers; that formal complaints had been made to the authorities by the superintendent of the Central Gaol, Salem, and the Government Visiting Committee; and that Petitions had been presented to Government from the leading citizens, both European and Indian, yet the senior Member of Council stated on the 9th of April, in reply to an inquiry by the Hon. Rangaiya Nayuda, in the Madras Legislative Council, that the Government had no information on these matters; and whether he will call for full information on the subject, and take steps, if the facts are as stated, to prevent further miscarriage of justice of this kind, and take proper notice of the conduct of all parties responsible for what has occurred.

*MR. H. H. FOWLER: I have no information beyond what is contained in the answer given to Mr. Rangaiya Nayuda's question on this subject in the Madras Council. As Mr. Bliss (the executive member of Council) stated that the Government of Madras had no information on the subject, I have no doubt that that was the real state of the case. Mr. Bliss further stated that if any person had any cause for complaint he should address the Local Government by petition, and this seems to me, as at present advised, to have been a proper and sufficient reply. I may add that a gaol authority would not be justified in detaining a prisoner beyond the term specified in his warrant merely because his appeal had not been disposed of.

MR. CROSFIELD: May I ask the right hon. Gentleman whether he will consider a document which I will place in his hands, and which will show that Petitions have been presented and not been considered?

MR. H. H. FOWLER: I shall be happy to consider any document my hon. Friend may place in my hands, but I would point out that in a matter of this description application should be made

in the first instance to the Madras Government, and then, if injustice were done, to the Home Government.

NICARAGUA CANAL.

COLONEL HOWARD VINCENT (Sheffield, Central): I beg to ask the Under Secretary of State for Foreign Affairs if Her Majesty's Government is aware that a Bill is before the Senate of the United States for the incorporation of the Maritime Canal Company of Nicaragua, and has been reported on favourably by the Foreign Affairs Committee; and, in such case, what steps are being taken to preserve British interests, to maintain the Clayton-Bulwer Treaty of 1850, and to promote under the terms thereof the junction of the Atlantic and Pacific Oceans in union with the United States?

SIR E. HARLAND (Belfast, N.): At the same time, I will ask the hon. Baronet whether a communication dated 9th instant, from the Chamber of Shipping of the United Kingdom, has been received by the Foreign Office, calling the attention of Her Majesty's Government to the facts that a Bill has been introduced into the Congress of the United States to provide for the construction of a ship canal by the United States Government from the Atlantic to the Pacific Oceans, through the State of Nicaragua, and that a Resolution to abrogate the Clayton-Bulwer Convention, which was concluded in the year 1850 between Her Britannic Majesty and the United States of America, has also been introduced into the United States Congress by Senator Dolph of Oregon; and whether, inasmuch as the maintenance of the Clayton-Bulwer Convention (by Article I of which the Governments of Great Britain and the United States declare that neither one nor the other will ever obtain or maintain for itself any exclusive control over the said ship canal through Nicaragua) is one of great importance to British shipowners, owning, as they collectively do, two-thirds of the tonnage of the world, Her Majesty's Government will cause representations to be made to the United States Government against the abrogation of the Clayton-Bulwer Convention, and also against any provisions in the Morgan Bill which may be detrimental to the interests of British shipping?

Mr. H. H. Fowler

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir E. GREY, Northumberland, Berwick): The answer to the first portion of this question is in the affirmative. The other matters referred to will receive attention from Her Majesty's Government when the proper moment arrives for considering them. There does not appear to be any occasion to suppose that the United States Government will abrogate the Clayton-Bulwer Treaty.

TELEGRAPHIC BLUNDERS.

SIR G. OSBORNE MORGAN (Denbighshire, E.): I beg to ask the Postmaster General whether his attention has been called to a mistake in an important telegraphic message sent by Messrs. Meredith Jones and Sons, of Wrexham, to Reuter's Telegraph Company, on the 15th of May, for the purpose of being transmitted to Bombay; whether he is aware that, in consequence of such mistake, it became necessary for the senders of the message to re-cable the same at a cost to themselves of 12s.; and whether the Post Office Authorities decline to be responsible for the loss caused by the neglect of their *employés*; and, if so, who is responsible for such loss?

*THE POSTMASTER GENERAL (Mr. A. MORLEY, Nottingham, E.): While expressing my regret for the mistake to which my right hon. Friend refers, I am afraid I can only call his attention to the notice which appears on the telegram forms used by the public, that the Postmaster General is not liable for any loss which may be incurred by reason of any mistake in the transmission of telegrams.

SIR G. OSBORNE MORGAN: Then may I ask who is responsible?

MR. A. MORLEY: I am afraid the answer is, "No one is responsible," for if any liability does exist it must fall upon the innocent taxpayer.

SIR G. OSBORNE MORGAN: Is not what the right hon. Gentleman has just said in direct contravention of the first principle of English law—that "there is no wrong without a remedy?"

MR. A. MORLEY: That is a question for the Attorney General.

MR. BARTLEY (Islington, N.): Is it not a fact that in the event of a message being wrongly sent the Government

are bound to have the mistake rectified without any further charge?

***MR. A. MORLEY** : If in the case of an inland telegram the first message is found to be incorrect owing to a mistake on the part of the Post Office officials, any charge for repeating the telegram is refunded, but in no case is the Post Office liable to make good any consequential loss to the individual.

DEPARTMENTAL REPORT ON RAILWAY ACCIDENTS.

MR. CHANNING (Northampton, E.) : I beg to ask the President of the Board of Trade when the Report of the Departmental Committee on the form of reports of accidents on railways will be presented?

THE PRESIDENT OF THE BOARD OF TRADE (Mr. BRYCE, Aberdeen, S.) : The Committee has been busily engaged in dealing with the forms of Return made to the Board of Trade and in taking evidence on the subject. Comparatively little remains to be done, and the Report should not be long delayed.

THE PONSONBY ESTATE.

MR. T. W. RUSSELL (Tyrone, S.) : I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he can state the terms upon which a certain number of the evicted tenants on the Ponsonby Estate purchased their holdings under Section 13 of the Land Purchase Act of 1891, giving, if possible, the number of such purchasing tenants and the terms agreed upon and sanctioned by the Land Commission; and whether any of the instalments have yet become due, and if there has been any default?

THE CHIEF SECRETARY FOR IRELAND (Mr. J. MORLEY, Newcastle-upon-Tyne) : Advances have been made to 83 former tenants on the Ponsonby estate who had entered into agreements for purchase under the 13th section of the Act of 1891. The total former rental was £2,249 11s. 11d., the total purchase money agreed upon amounted to £40,155, the total advances made amounted to £37,167, the total annuities payable thereon amount to £1,520 10s. 10d. The instalments in all these cases are in collection. The entire amount of the interest and instalments payable up to May 1 last, being the last gale day, has

been paid with the exception of £24 16s. 4d. due by two purchasers in respect of the May instalment.

MR. BRODRICK (Surrey, Guildford) : Have any re-instatements of the tenants on this estate occurred since the expiry of the 13th section of the Land Act 1891?

MR. J. MORLEY : I cannot answer that without notice.

EVICTED FARMS IN IRELAND.

MR. T. W. RUSSELL : I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he can state the number of evicted farms that have been taken since the date of the Mathew Commission Report?

MR. J. MORLEY : In replying to a question of the hon. Member for South Hunts on April 28 of last year on the subject of evicted farm statistics, I stated that applications for such had on all previous occasions been refused by my predecessors, and that, having regard to this precedent, I was unable to supply the information for which he applied. I regret, therefore, that I cannot now see any sufficient reason for altering the opinion which I entertained last year.

MR. CARSON (Dublin University) : Will the right hon. Gentleman endeavour to give the House some information of this sort before we are asked to discuss the Evicted Tenants Bill?

MR. T. W. RUSSELL : This question is not an inquiry as to any specific evicted farm. I want to know how many of these farms have been taken since the sitting of the Mathew Commission? The particulars were given in the Report of the Commission, and what I desire to know is what progress has been made since?

MR. J. MORLEY : I am not sure whether I can give the information, but I will consider the matter. With regard to the question of the hon. and learned Member for Dublin University, I have some figures dealing with the subject, which I propose submitting to the House when the Bill referred to is proceeded with.

MR. T. W. RUSSELL : I am glad to hear that, otherwise it would be a case of debating in the dark.

OUTDOOR RELIEF TO IRISH EVICTED TENANTS.

MR. T. W. RUSSELL : I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if it will be possible, before the Second Reading of the Evicted Tenants (Ireland) Arbitration Bill, to state the amount expended for outdoor relief to evicted tenants in those unions in which the 17 estates investigated by the Mathew Commission are situate ?

MR. J. MORLEY : At page 22 of the Report of the Evicted Tenants Commission will be found a Return containing, amongst other things, a statement of the amount of outdoor relief granted to evicted tenants on the 17 estates referred to since 1879. If the hon. Gentleman so desires, this information can be brought down to the present date, but it would be necessary to obtain it from the clerks of the Unions, and it would take a week or 10 days to procure the figures.

CLECKHEATON SCHOOLS.

VISCOUNT CRANBORNE (Rochester) : I beg to ask the Vice President of the Committee of Council on Education whether he has declared the St. John's National School and the British School at Cleckheaton to be unavailable, on account of distance, for supplying some of the deficient school accommodation caused by the closing of the Westgate School in the same parish, notwithstanding the fact that both these schools are less than 1,300 yards distant from the closed school, and are in many cases more accessible to the children now attending Westgate School ; and whether he will reconsider the case ?

THE VICE PRESIDENT OF THE COUNCIL (Mr. ACLAND, York, W.R., Rotherham) : The Department, after very careful inquiry, have decided that no school in Cleckheaton, except the St. Luke's Church of England School, is sufficiently near the Westgate School to supply the deficiency caused by the closure of the latter. The two schools named by the noble Lord are about three-quarters of a mile off. It is especially necessary that the half-time children, many of whom now attend the Westgate School, should have a school near the mills at which they work.

VISCOUNT CRANBORNE : I would like to ask the Vice President whether

he is aware that in the last letter of the Department they threatened to take the most extreme course of publishing the statutory notice 14 days from the day of writing the letter, or two days from the present time, and whether the right hon. Gentleman will consent to postpone that notice for a few days, in order that further communications may possibly be made to him on the subject, which might modify his judgment ?

MR. ACLAND : I was not aware of the matter. The case, I believe, has been going on for some time. I will look into it, and refer to the notice.

CUSTOMS OUTPORT CLERKS.

MR. STEWART WALLACE (Tower Hamlets, Limehouse) : I beg to ask the Secretary to the Treasury how many clerks on the intermediate class of Customs outport clerks, created in 1885, being in receipt of special allowances, have since October, 1891, declined promotion to the first class of clerks on the ground that the minimum salary of the first class, as fixed by Treasury Order of 6th March, 1880, or at which they were proposed to be appointed, was less than the income (derived from salary and allowance) they were receiving on the lower class, the difference being such that they could not afford to lose, and how many since 1885 have accepted such promotion, at a loss of immediate income derived from salary and allowance ; whether such minimum of the first class became inferior to the income of the subordinate class, derived from salary and allowance, owing to the concessions made in 1885 and 1891 in view of loss of prospects, increased responsibilities, &c., and whether such reasons ought to operate to prevent loss of income on promotion ; whether he can see his way to avoid detracting from the grace of the said concessions by directing an increase of such minimum salary, so that no clerk in receipt of a special allowance, as authorised by the Order of 1880, shall lose in immediate income by accepting promotion to the first class ; and whether a Petition was received by the Treasury in 1893 from certain clerks at the Customs outports ; if so, when a reply is likely to be given thereto ?

THE SECRETARY TO THE TREASURY (Sir J. T. HIBBERT, Oldham) : Since October, 1891, eight clerks of the

second class of Customs outport clerks have refused promotion to the first class, and 12 have been actually promoted, of whom three suffered a small immediate loss by promotion. Since 1882 the responsibilities of the outport clerks as a body have decreased, and the concessions of the Treasury referred to were made on account of slowness of promotion, and not of increased responsibilities. The special allowance is granted in addition to salary to a clerk for acting as collector in the absence of that officer, and if such clerk is promoted to the first class his promotion involves transfer to another port, and the payment of the allowance to his successor, who actually performs the duties recognised by that allowance. To add any part of the special allowance to the promoted clerk's salary would be to pay, to that extent, twice over for the same duties. I have not seen the memorial referred to, but I will inquire how the matter stands.

THE DISMISSAL OF A POLICE OFFICER.

MR. SCHWANN (Manchester, N.) : I beg to ask the Secretary of State for the Home Department whether it has come to his knowledge that Henry Kemp, formerly a superintendent in the Worcestershire Police Force, when within six weeks of the date at which he would have been entitled to retire on a pension of £100 a year, was discharged from the force by the chief constable, on account of a report by a local Magistrate and his gardener that the said Henry Kemp had been guilty of gross immorality ; that the said Henry Kemp brought an action at the Birmingham Assizes against his defamers, and was awarded £500 damages, the jury stating that, but for the hope that some way would be found by which Kemp could secure his pension, they would have given much heavier damages, and the Judge (Mr. Justice Mathew) concurred in the statement of the jury to that effect ; that the chief constable (who assisted the defendants in the trial in support of the charge of immorality and set forth no other ground for dismissal) had since stated, and the statement had been supported by the Chairman of the Police Committee, that Kemp was discharged for entirely different reasons ; that the said Chairman of the Police Committee of Worcestershire, who is also Chairman of the County Council,

had threatened to resign his position on the County Council unless the Council sustained the decision of the chief constable not to reinstate the said Kemp, nor to permit any independent investigation ; and whether it is within the powers of the Home Secretary to order an investigation into the case, and will he do so ?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. ASQUITH, Fife, E.) : I have caused inquiry to be made, and it is reported to me that the dismissal of Kemp was for untruthfulness more than once repeated ; and that the order of dismissal was given by the Chairman of the Worcestershire Standing Joint Committee. The conduct of the Chairman is reported to have been approved by a unanimous vote of the Standing Joint Committee, and of the County Council. The Chairman of the Standing Joint Committee denies that he threatened to resign unless the decision not to reinstate Kemp was sustained, or for any other reason. In the circumstances, I am of opinion that, even if I have the power, no useful purpose could be served by an inquiry.

A TRADE DISPUTE IN SOUTH WALES.

MR. DAVID RANDELL (Glamorgan, Gower) : I beg to ask the Secretary of State for the Home Department whether he is aware that, arising out of a tinplate trade dispute, the workpeople interested held a demonstration at Gorseinon, near Swansea, on the 26th June last, and, though orderly, were charged and batoned by a small body of police ; that many persons who took no part in the proceedings were chased across the common and severely wounded by the police ; that in the early morning of the following day some 18 or 20 tinplate workers were resting in a timber yard by permission of the proprietor, and, whilst many of them were asleep, were attacked and bludgeoned over and through a barbed-wire fencing which encloses the premises, and seriously injured by the police ; can he state at whose instance, and by what authority, was such attack made ; and whether a full inquiry, at which the injured persons may be represented and heard, will be made into the conduct of the police on the occasions referred to ?

MR. ASQUITH : I am in communication with the Chief Constable of Glamorganshire, and as soon as I receive his Report I shall be able to answer my hon. Friend's question ; but, in the meantime, I must ask him to further postpone his question.

THE ACCIDENT IN A LANARKSHIRE PIT.

MR. CALDWELL (Lanark, Mid) : I beg to ask the Secretary of State for the Home Department whether his attention has been called to an accident which took place at Holm Farm Pit, Lanarkshire, on 27th June last, whereby three men, Edward Brannan, William Stevenson, and Matthew Corbett, were killed ; and whether he will order a public inquiry into the matter ?

MR. ASQUITH : My attention has been called to the accident, but I do not think any public inquiry necessary, as the causes of the accident are sufficiently clear from the Inspector's Report. I am informed that the structure of the crane, which caused the accident, is being altered. I will give further attention to the matter before coming to a final decision.

AN INLAND REVENUE PROSECUTION.

MR. WEIR : I beg to ask the Secretary to the Treasury whether he is aware that Donald Macrae, of Plockton, Ross-shire, a crofter within the meaning of the Act, and entitled to keep a dog, was recently summoned at the instance of Mr. Mackenzie, Supervisor of Inland Revenue, Gairloch, for keeping a dog without a licence, and that the case was dismissed ; whether the Commissioners of Inland Revenue and their officers will be required to make themselves acquainted with the rights of crofters with regard to dog licences ; and whether he will take steps to prevent similar prosecutions in future ?

SIR J. T. HIBBERT : The facts are not quite as stated in the first paragraph of the question. The exemption granted by law is not specifically in favour of crofters. It is to be granted—

"in the case of dogs kept and used solely for the purpose of tending sheep or cattle on a farm, or in the exercise of the calling or occupation of a shepherd" (41 Vict. c. 15, s. 22).

The Board of Inland Revenue did not, and do not still, consider that

Mr. Macrae, whose stock consisted of a cow and two sheep, was entitled to exemption in respect of the dog in question, which was a Skye terrier.

MR. WEIR : Whether a Skye terrier or a collie, it is enough if a dog is kept for the purpose of watching sheep.

SIR J. T. HIBBERT : I have not had experience of the qualifications of Skye terriers, but I may say that the dog in question is dead.

MR. WEIR : I would ask whether this poor man was not summoned to Dingwall, a distance of 70 miles, in order to appear before the Justices, without receiving a penny of expenses, and whether it has not been the custom for many years past that crofters owning a dog, no matter what sort of dog—Skye terrier or not—were exempt from the tax ?

SIR J. T. HIBBERT : I am informed that that is not the law. I have already stated that I think this is a very hard case.

THE NEWCASTLE WEST BOARD OF GUARDIANS.

MR. M. AUSTIN (Limerick, W.) : I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what is the cause of the delay in the Local Government Board not ordering a new election for the Mahoonagh Electoral Division of the Newcastle West (County Limerick) Union, the sitting Guardian having resigned two months ago ?

MR. J. MORLEY : The Guardian for the division referred to tendered his resignation to the Board of Guardians on 10th May last. The Local Government Board thereupon informed the Guardians that the resignation must be tendered to and accepted by the Local Government Board in accordance with Section 22 of the 1st and 2nd Vict. c. 56, and also sent a form for this purpose. This form was sent by the Board of Guardians to the Guardian, so that he might fill it up and return it to the Local Government Board, but he has not yet done so, and until this has been done the office of Guardian is not vacant and an order for a new election cannot be issued.

MR. M. AUSTIN : In the meantime, the electoral division is to be disfranchised owing to the action of the Guardian.

MR. J. MORLEY: I do not know how that is. The Guardian will have to comply with the legal requirements.

MR. M. AUSTIN: Have not the Local Government Board power to compel the Guardian to act?

MR. J. MORLEY: No; I am told not.

**ST. AUGUSTINE'S BOYS' SCHOOL,
KILBURN.**

MR. CHANNING (Northampton, E.): I beg to ask the Vice President of the Committee of Council on Education whether at St. Augustine's Boys' School, Kilburn, some 300 boys pay high fees, and are taught in separate classes, with a special curriculum and special teachers; what fee is charged to these boys; whether their attendance is reckoned for the fee grant; and whether, seeing that the whole school is one department, this separation of classes is in accordance with the Code?

MR. ACLAND: I am obliged to the hon. Member for calling my attention to this matter. In the school to which he refers, according to the Returns for the year ended February 28th last, 300 boys pay 1s., 14 pay 9d., and 615 are free. The attendance of all the scholars has been counted for the fee grant. I have not at present sufficient information to be able to say definitely whether the paying scholars are taught in separate classes, with a special curriculum and special teachers; but I have directed inquiry to be made at once, and should the facts be as stated by the hon. Member, I think that the school would consist, not of one, but of two departments, and I will consider what further steps can be taken. I think it is clear that every scholar attending any department of a school should be entitled to all the educational advantages offered in that department.

THE AYR COUNTY COMMITTEE.

MR. BIRKMYRE (Ayr, &c.): I beg to ask the Secretary for Scotland if he can explain the cause of the delay on the part of the Ayr County Committee in paying over to Ayr Burgh School Board the secondary grant earned at Ayr Academy and Ayr Grammar School?

THE SECRETARY FOR SCOTLAND (Sir G. TREVELYAN, Glasgow, Bridgeton): We have been informed

by the County Committee that full particulars had to be obtained from the schools. But these have now been received, and the payments (except in a few cases where the particulars have not been furnished) have either now been made, or will be made at once.

THE FOG HORN AT THE START POINT.

MR. MILD MAY (Devon, Totnes): I beg to ask the President of the Board of Trade whether he has received any complaints as to the inadequacy of the fog horn at the Start Point; and, if so, whether it is his intention to take any action with regard to this matter?

MR. BRYCE: No, Sir; the Board of Trade have received no complaints of either the inadequacy or the inefficiency of the fog signal at the Start Point Lighthouse; any that may reach me will, of course, receive immediate attention.

HABITUAL INEBRIATES.

MR. PICKERSGILL (Bethnal Green, S.W.): I beg to ask the Secretary of State for the Home Department when he proposes to introduce his promised Bill to carry out the recommendations contained in the Report of the Departmental Committee on the treatment of habitual inebriates?

MR. ASQUITH: The Bill is being drafted, and I hope will very soon be laid upon the Table, either here, or in another place.

IRISH PRISON-MADE MATS.

MR. QUILTER (Suffolk, Sudbury): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he will inform the House to what extent cocoanut mats and matting are being made in Irish prisons for sale; and whether he is aware that such competition with free labour has been discontinued in England in deference to the urgent representations of those engaged in the trades in the Sudbury Division and elsewhere, supported by the Parliamentary Committee of the English Trades Unions?

MR. J. MORLEY: Cocoanut-fibre mats and matting are manufactured to a limited extent in eight Irish prisons. The total sales in the year ended March 31 last amounted to £951 4s. 9d. The General Prisons Board are informed that there are no free mat-makers in Ireland,

and consequently the competition with free labour referred to in the question does not exist in Ireland. On the contrary, the Board believe that the discontinuance of the mat-making industry in Irish prisons would be a cause of inconvenience and loss to the Irish public and traders.

TRAWLING IN SCOTLAND.

DR. MACGREGOR (Inverness-shire): I beg to ask the Secretary for Scotland whether, in view of the destruction of the fisheries caused by trawlers within the three-mile limit on the coast of Barra and other parts of the Hebrides, anything further can be done to protect them?

SIR G. TREVELYAN: As the hon. Member is aware, a new steam cruiser has quite recently been supplied for the services of the Fishery Board, with special regard to the protection of the fisheries on the West Coast of Scotland, and is already actively at work. The Fishery Board has now at its disposal an Admiralty steam cruiser on the east coast, and one of their own on the west coast, with additional assistance from the Admiralty during certain seasons of the year, which is most useful. Considering that in the matter of protection of the fisheries out of Treasury funds Scotland is now in a position of exceptional advantage, I cannot hold out the prospect of further action in this direction at present.

THE DROWNING DISASTER IN CLEW BAY.

DR. R. AMBROSE (Mayo, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if Mr. Commissioner Robinson, of the Irish Local Government Board, has yet made his Report as to the extent of the distress caused by the late drowning disaster in Clew Bay; whether he has suggested any means for meeting such distress; and whether the Government intend to take any steps to prevent a recurrence of such disaster?

MR. J. MORLEY: Mr. Robinson proceeded to Achill Island on the 14th of June to inquire into the condition of the people consequent upon the boat disaster off Westport on the previous day, and his Report was received by me a few days afterwards. I understand that grants of money have been made by

Mr. J. Morley

the committee in charge of one of the funds to each of the relatives dependent upon the persons who were drowned; that no immediate want has been left unprovided for; and that the allocation of the remainder of the money in the hands of the local committee and of the representatives of the other funds is now receiving consideration. The railway from Newport to Mullraun is open, I believe, for traffic to-day, and it is hoped that the extension of the line thence to Achill Sound will also be ready for traffic early next month.

THE CONGO FREE STATE.

MR. STUART-WORTLEY (for Mr. J. W. LOWTHER): I beg to ask the Under Secretary of State for Foreign Affairs whether, before the Estimate for the Foreign Office is proposed, any further papers will be presented to Parliament relating to the Convention of the 12th of May with the Congo Free State, and to the subsequent withdrawal of the Third Article thereof?

*SIR E. GREY: Further Despatches relating to the Congo Free State Convention have been distributed to-day.

THE CONTRACT FOR POLICE BOOTS.

CAPTAIN NORTON (Newington, W.): I beg to ask the Secretary of State for the Home Department whether he can explain why the boots known as Army high-lows, the contract price for which is 10s. 6d. per pair, are superior to those supplied to the Metropolitan police constables for which the contract price is 11s. 11d. per pair, this being the opinion of those who have worn each class of boots for years; whether it is a fact that the contract for the Army boots is put out for one year only, and that these boots are passed by a board, whereas the contract for police boots is put out for five years, and these boots are passed by one examiner, a practical bootmaker, whose total fee for this work amounts to only about £150 per annum, although he deals with nearly 30,000 pairs of boots involving a contract to the amount of nearly £18,000 per annum; whether he has yet considered the desirability of permitting the hon. Member for West Newington to take a copy of the contract for the supply of boots for the Metropolitan Police, or to cause a copy

to be taken for him; and whether there is in the contract in question a clause such as exists in most other similar contracts, enabling either of the contracting parties to terminate the contract upon certain conditions; and, if this is so, will he state the conditions?

MR. ASQUITH: I beg to refer my hon. Friend to my answers to a similar inquiry on July 12, and to add that the boots are of very different character from the Army high-lows, and reported to me as superior for the purpose for which they are used. The contract is for five years, and there is a clause in the contract enabling the receiver to terminate it if reasonably dissatisfied. As I have previously stated, my hon. Friend can see the contract if he wishes. I am not aware, and he does not inform me why he wants a copy of it, and until I know the purpose for which the copy is asked and is to be used I cannot give him a definite answer on this point.

CAPTAIN NORTON: I desired to have a copy of the contract in order that I might not be put to the inconvenience of learning it by heart at the Home Office.

THE EMPLOYMENT OF DISCHARGED SOLDIERS.

MAJOR RASCH (Essex, S.E.): I beg to ask the Secretary of State for War whether his attention has been called to the death of a discharged soldier of the 7th Dragoons who committed suicide at Glasgow owing to his inability to find work; and whether he will consider the possibility of augmenting the Government grant to the Association for Employment of Discharged and Reserve men, which during the past year has found employment for 4,400 old soldiers?

***THE SECRETARY OF STATE FOR WAR (MR. CAMPBELL-BANNERMAN, Stirling, &c.):** My attention has not been called to the case referred to, nor is it one for which the War Department could be held responsible. Every effort is made to obtain employment for discharged soldiers, and on June 1, out of 80,737 reservists who sent in their life certificates 73,014 had employment. This accounted for all the Reserve except 2,654, who for various reasons did not send in their certificates. The House will, I am sure, regard these figures as

most satisfactory, and an additional grant to the Association referred to does not appear to be needed. I would also remind the hon. and gallant Gentleman that a Committee is sitting on this subject.

COMMISSIONS IN THE ARMY.

MR. MACDONA (Southwark, Rotherhithe): I beg to ask the Secretary of State for War, whether in view of the fact that the War Office Warrant of June 1890, No. 197, stated that soldiers enlisting after that date would come under it, he will modify the Warrant lately issued, which makes no such provision as to time, so as to make it agree with the Warrant of June 1890, in not having a retrospective effect, and thus obviate the risk of inflicting hardship on those who enlisted with the hope of getting a commission?

***MR. CAMPBELL-BANNERMAN:** The Army Order of August, 1893, was issued after very full consideration in the best interests of the Service. Provision is made for candidates of specially meritorious service, or who have given distinguished service in the field; but it is not thought desirable that in ordinary cases a soldier should be recommended for a commission after he is 24 years of age, or that he should be commissioned after 26.

FRANCE AND THE CONGO TREATY.

MR. STUART-WORTLEY (for Sir E. ASHMEAD-BARTLETT): I beg to ask the Under Secretary of State for Foreign Affairs whether he can give the House any information as to the negotiations with France regarding the Congo Treaty of 12th May, and as to the position of the French Forces in the Upper Congo Districts and the Equatorial Provinces?

***SIR E. GREY:** I cannot at the present stage make any statement as to the negotiations with France. We have heard of no movement of the French force in the Upper Congo District, and there have not been any in the Equatorial Provinces?

OCCUPYING TENANTS IN IRELAND.

MR. BARTLEY (Islington, N.): I beg to ask the Chancellor of the Exchequer whether he will grant a Return of the number of occupying tenants in Ireland whose holdings have changed hands

by death during the last five years, and the amount of tenant right charged with Death Duties during those five years, classified as in Return No. 285, 17th June, 1891—namely, those under £4; over £4 and not over £15; over £15 and not over £30; over £30 and not over £50; over £50 and not over £150; over £150 and not over £200; over £200?

THE CHANCELLOR OF THE EXCHEQUER (Sir W. HARCOURT, Derby): Both the Inland Revenue and the Irish Office report that they are unable to obtain this information?

INLAND REVENUE OFFICERS.

MR. TULLY (Leitrim, S.): I beg to ask the Chancellor of the Exchequer whether he is aware that the Commissioners of Inland Revenue, in deciding complaints made against their officers, the consequences of which involve censure, reduction, or dismissal, take into consideration as against the officers documentary and other evidence procured in the absence of these officers; that in many cases the officers are not afforded an opportunity of disproving or explaining the *gravamen* of such evidence; and that on proceedings of this sort the Commissioners of Inland Revenue have censured and dismissed many officers; and whether the Commissioners, in dealing with complaints against their officers, will be directed to afford such officers an opportunity of replying to any complaints against them before a decision is arrived at?

SIR W. HARCOURT: The practice of the Commissioners of Inland Revenue is not correctly stated in the question. When a serious complaint is made against an officer an inquiry is ordered, and is conducted by experienced officials, whose Report is subsequently examined by the Board. The inquiry is, so far as is possible, held in the presence of the officer. Where this is not possible, he is given an opportunity of denying or explaining the evidence against him. He can also produce evidence on his own behalf.

ORDERS OF THE DAY.

FINANCE BILL.—(No. 303.)

CONSIDERATION. [SIXTH NIGHT.]

Bill, as amended, further considered.

SIR J. LUBBOCK rose to move, in page 12, line 30, after "of," insert—

Mr. Bartley

"Any property which is by virtue of the statute of the thirty-ninth year of George the Third, chapter seventy-three, not liable to Legacy Duty, and such property shall not be aggregated with any other property for the purpose of fixing the rate of Estate Duty, or."

This Amendment, he said, raised no Party question, and he trusted, therefore, that it would be considered entirely on its own merits. The Chancellor of the Exchequer had a somewhat similar Amendment on the Paper, but it differed in two respects. In the first place, the Amendment of the Chancellor of the Exchequer was confined to works of art, and excluded collections of scientific objects; in the second place, the Chancellor of the Exchequer excluded bequests to Universities and Colleges. He could not understand why scientific collections should be excluded. Surely all the arguments which applied to art applied to science also. He submitted to the House that bequests of collections to Universities and Colleges were quite as useful as those to any other Institutions. He hoped, therefore, that they would be included. His Amendment was framed on the existing law. At present such collections were exempted from Legacy Duty. The Government were now imposing a new duty, and he submitted that the same considerations held good. To refuse the Amendment would be a distinct discouragement to science and art, while to accept it would inflict very little loss on the Treasury. He begged to move his Amendment.

Amendment proposed, in page 12, line 30, after the word "of," to insert the words—

"Any property which is by virtue of the statute of the thirty-ninth year of George the Third, chapter seventy-three, not liable to Legacy Duty, and such property shall not be aggregated with any other property for the purpose of fixing the rate of Estate Duty, or."

Question proposed, "That those words be there inserted."

SIR W. HARCOURT thought that an Amendment of this kind was rather a severe lesson upon the making of concessions by the Government. The first proposal was to exempt bequests for national purposes, and immediately that concession was made the hon. and learned Member for York attempted to give the exemption an unlimited character. He did not, however, object

to including in his Amendment "scientific objects." That was reasonable enough, and he should be very glad to incorporate it in his Amendment, but the Amendment of his right hon. Friend was a very different one. It had a very different list to that of the hon. and learned Member for York, and the bodies were also of a very different character. It would be out of the question to accept the specification of exemption in the Act of George III. He must adhere substantially to the Amendment of which he had given notice. There was a clear distinction to be drawn in favour of Municipal Corporations and County Councils, because they were bodies representing the general community, and through them the public would have a voice in the use and enjoyment of the things bequeathed.

MR. GRANT LAWSON (York, N.R., Thirsk) said, there were one or two reasons why the Amendment, which had been proposed by the right hon. Member for the London University, was better than that of the Chancellor of the Exchequer. In the first place, it proposed to apply to the Estate Duty the principle and practice which had been in use for so many years, and which had been the subject of legal decisions, whereas the Chancellor of the Exchequer's Amendment raised quite a new definition in law.

SIR W. HARCOURT: So does the Amendment of the hon. and learned Member for York.

MR. GRANT LAWSON had not that Amendment with him, and did not recollect its terms. There was another reason why the Amendment under discussion was better than that of the Government, and that was that it would involve no delay in setting up estates, whereas the proposal of the Government that the duty should be remitted on these various articles which were of national importance or historical interest would result in delaying the winding-up of the estate, because the rate of duty could not be fixed. No such difficulty would be incurred under this Amendment.

SIR W. HARCOURT: It would have to be decided by a Court of Law.

MR. GRANT LAWSON: Do I understand that a Court of Law would have to decide whether the articles came

under this section of the Act of George III.?

SIR W. HARCOURT: If it was disputed it would be for a Court of Law to decide.

MR. GRANT LAWSON said, then he came to his original point, that the Courts of Law had already decided all questions on this subject, because this had been in force ever since the 39th year of George III., and any questions that could possibly arise must already have been decided.

*SIR A. ROLLIT (Islington, S.) said, he thought the Amendment of the Chancellor of the Exchequer fully met the point. There was one ground on which it should be preferred to the Amendment of the right hon. Baronet the Member for London University. In the days of George III. vicars and churchwardens were, no doubt, as corporations sole, representatives of the community, but their places as such had since been taken by the representative bodies created by the various Municipal and Local Government Acts. He was very glad Municipalities were included in the Amendment of the Chancellor of the Exchequer. Gifts left to Municipalities were certainly gifts left to the nation; and besides this exemption would contribute to the formation of local collections of objects of national and historic interest, which were in the aggregate even more representative of national life than central collections. He thought the Government had done very much to meet the opinions expressed on this subject, and he should be glad to support their Amendment.

MR. HUMPHREYS-OWEN (Montgomeryshire) appealed to the Chancellor of the Exchequer, in the interest of higher education in Wales, to include in his Amendment gifts to Universities and intermediate schools in Wales. Those institutions had on their Governing Bodies popular representatives, and on that ground, and also on the ground of the desirability of forming local collections, it would be a good thing if the right hon. Gentleman made this addition to the national resources of Wales.

*MR. BUTCHER (York) desired to express his obligation to the Chancellor of the Exchequer for having substantially accepted the Amendment which had stood on the Paper in his name. He had not got that Amendment with him

in print, but as well as he remembered his object was to exempt from duty all such gifts left to institutions for public purposes; and therefore, in accepting the Amendment of the Chancellor of the Exchequer, he desired to reserve to himself the right to support the Amendment of the hon. Member for Stratford, in which it proposed to exempt gifts of this extremely limited character given to any University or learned body.

MR. COURTNEY (Cornwall, Bodmin) hoped the Chancellor of the Exchequer would not be discouraged in well-doing because of the reception given to his concession. After all, the right hon. Gentleman had admitted that there was force in raising further demands for concessions, because he had now consented to include collections of natural history, which were not covered by his Amendment as it stood on the Paper. Personally, he was glad the Chancellor of the Exchequer had gone so far; but with all respect to the authorship of the Amendment standing in the name of the right hon. Gentleman, he should say its meaning was not very clear. They had had a plea put forward on behalf of Universities. He was inclined to think Universities were covered by the Amendment. Universities were national institutions, and therefore gifts given to Universities were gifts given for national purposes. But it would be better if the matter was made perfectly clear.

SIR W. HARCOURT: The question does not arise under this Amendment.

MR. COURTNEY replied that the Amendment of the right hon. Gentleman was a little ambiguous; but if the right hon. Gentleman could assure the House that it covered or would be made to cover gifts to Universities, it might considerably shorten discussion.

MR. GOSCHEN (St. George's, Hanover Square) said, he presumed that if the Amendment of his right hon. Friend the Member for London University were withdrawn, all the descriptions of property included in it might be discussed with a view to their exemption under the Chancellor of the Exchequer's Amendment. He did not suggest that the Amendment should be withdrawn; but he thought his right hon. Friend would lose nothing by so doing.

Mr. Butcher

SIR J. LUBBOCK said, he would withdraw the Amendment on the understanding that they might discuss the matters included in it on the Amendment of the Chancellor of the Exchequer.

Amendment, by leave, withdrawn.

*MR. BARTLEY (Islington, N.) moved in page 12, line 31, to leave out "twenty-five" and insert "fifty-two." His Amendment was perhaps a little ungrateful. The Chancellor of the Exchequer had given as a concession exemption from duty to joint annuities of £25, between husband and wife, or two elderly sisters, as the case might be, on one of the lives falling in. He was anxious to raise the exemption to £1 a week. He had made a calculation as to the financial result which raising the exemption from 25 to 52 would involve to the Treasury. In the case of the death of one of the lives in a joint annuity of £52, if the other life was £60, the value of half the annuity, if a male, was only £150, and if a female £180. If half the annuity fell in at 70 years the value to a man was £110, and to a woman £120. If the life dropped at 75 years, the value to a man was £80, and to a female £90. The value in the vast majority of cases would therefore be under £300, and that would only mean 30s. in duty to the Treasury. The Chancellor of the Exchequer had said it hardly paid the Treasury to collect those small amounts; and he was sure everyone would agree it was not worth while putting a widow to the trouble and inconvenience—at a time of sorrow and difficulty—of having the matter of the annuity gone into for the sake of a few thousand pounds to the country, especially as the expenses would be nearly as much as the Estate Duty would bring into the Treasury. He hoped, therefore, the Chancellor of the Exchequer would accept the Amendment; but if the right hon. Gentleman did not see his way to do so, he would not press it to a Division.

Amendment proposed, in page 12, line 31, to leave out the words "twenty-five" and insert the words "fifty-two."—*(Mr. Bartley.)*

Question proposed, "That the words 'twenty-five' stand part of the Bill."

SIR W. HARCOURT said, he could only repeat what he had said before on the subject. What they had got to do was to establish an equality between the exemptions made in one class and the exemptions made in another class; and if they gave in one particular class of investments larger exemptions than were given in another class they would be placing the whole principle of exemption on an unsound basis. In his illustrations of what the duty on joint annuities of £52 a year would bring into the Treasury, the hon. Gentleman took the cases of very old people. But a man might be killed or a woman might be killed at an early age, and the £52 a year capitalised would mean £1,000. He could not, therefore, accept the Amendment.

MR. GIBSON BOWLES (Lynn Regis) said, that in this instance he agreed with the Chancellor of the Exchequer rather than with his hon. Friend the Mover of the Amendment. The right hon. Gentleman in giving away joint annuities of £25 had opened a leak in the vessel which would be much larger than the right hon. Gentleman supposed, because the exemption was not restricted to persons of small income; and joint annuities of £25, which might be worth £400 or £500 for the purposes of aggregation and graduation, might be withdrawn from every estate that passed. An annuity continued much longer than was supposed. In fact, to give a person an annuity was to give them a long lease of life; and one of the results of the concession of the Chancellor of the Exchequer would be the creation of a large number of joint annuities of £25 in order that so much of the estate, at least, might be placed beyond the grasp of the Treasury. He thought the right hon. Gentleman was justified in refusing the Amendment.

Question put, and agreed to.

Amendment proposed, in page 12, line 37, after the word "section," to insert the words—

"It shall be lawful for the Treasury to remit the Estate Duty or any other duty leviable on or with reference to death in respect of any such pictures, prints, books, manuscripts, or antiquities as appear to the Treasury to be of national or historic interest, and to be given or bequeathed for national purposes, or to any County Council or Muni-

cipal Corporation, and no property the duty in respect of which is so remitted shall be aggregated with any other property for the purpose of fixing the rate of Estate Duty."—*(Sir W. Harcourt.)*

Question proposed, "That those words be there inserted."

MR. GIBSON BOWLES moved to leave out of the proposed Amendment the words—

"such pictures, prints, books, manuscripts, or antiquities as appear to the Treasury to be of national or historic interest, and to be," and to insert "property." The objection to the Amendment of the Chancellor of the Exchequer was that instead of making the exemption definite it left it to the sweet will of the Treasury to apply exemption or not to apply it. If an estate were left to a Corporation the Treasury would have to decide whether or not it was an estate of historical or national interest, and then to decide whether or not the obligation to pay duty should be remitted. In a matter where there might be a doubt or difference of opinion of that kind the decision should be placed in the hands of the Courts of Law, and not in the hands of the officials. When it was a question of general property left to the nation he admitted that the Treasury or the Commissioners of Inland Revenue, to whom the Treasury would no doubt hand over the task, should have the power of remitting the duty; but in the matter of property vaguely described, and subject to the definition whether it was national or historical, the question should be left to a Court of Law and not to the Commissioners of Inland Revenue.

Amendment proposed to the proposed Amendment, in line 2, to leave out from the word "any" to the word "given," in line 4, and insert the word "property."—*(Mr. Gibson Bowles.)*

Question proposed, "That the words 'such pictures, prints, books, manuscripts,' stand part of the proposed Amendment."

SIR W. HARCOURT said, the hon. Member wanted to substitute general property for specific property. The Amendment of the hon. and learned Member for York, which he had accepted, and the Act of George III., regulating the matter in former days, mentioned specific objects, and not property generally, and the insertion of pro-

perty generally in his Amendment was totally out of the question. The hon. Member also wanted the question of the character of the property—whether it was of national or historic interest—debated in a Court of Law. He could not conceive of a worse tribunal in which to raise such a question, and its decision on the matter would not even be final, for it would be subject to appeal. Surely it was better to leave to the Treasury the decision of the question, subject to the criticism of the House if they decided wrongly. Hitherto the Treasury had decided these matters without much difficulty, and very properly. Under the Amendment of the hon. Member things that were not appropriate to a public collection might be left to a Public Body, and though they might not be accepted by the Public Body they would be exempted from the duty. He was sure the hon. Member would see that his Amendment was one the Government could not accept.

SIR S. MONTAGU (Tower Hamlets, Whitechapel) cited the case of Mr. Tate, who had given to the nation not only a collection of pictures, but £80,000 to erect a Gallery. How would the Treasury under the Bill treat such an offer if the person who made the offer died soon after? They would remit the duty on the pictures, and charge the duty on the money. He thought the Treasury should have the option of remitting the duty on whatever property was left to the nation.

MR. QUILTER (Suffolk, Sudbury) said, the Amendment of the Chancellor of the Exchequer invested the Treasury with the power of discriminating between the objects that were and were not objects of national and historic interest. It would be very desirable if other Public Bodies had the same power. For instance, the authorities of South Kensington Museum had to accept any collection left to them, even though they were the old boots of distinguished men. He thought it was a large order to expect that the Treasury, in addition to their other duties, should be able to decide whether or not a collection was of national and historic interest and should escape duty; and he should like to ask whether a collection of Oriental china, of very great value and of immense interest, or a collection of old musical instruments would be covered by the Amendment?

Sir W. Harcourt

*SIR M. HICKS-BEACH (Bristol, W.) said, that if the hon. Member for King's Lynn had any reasonable prospect of carrying his second Amendment on the Paper, to strike out of the Amendment of the Chancellor of the Exchequer the words "or to any County Council or Municipal Corporation," he should be prepared to support the Amendment now before the House, because he could not see that there was any ground for the distinction the Chancellor of the Exchequer had drawn between books, pictures, and manuscripts, and money or other property when it was left to the nation. But he knew the right hon. Gentleman had given in to the pressure of the Municipal Corporations, and had agreed to insert the words "any County Council or Municipal Corporation." If therefore the hon. Member for King's Lynn succeeded in carrying this Motion, these bodies would be excused payment of Death Duty on any money or land which might be left to them. That would be a bad thing to do, and he was not prepared to support anything of the kind. If the right hon. Gentleman could give them a hope that he would accept the Amendment of the hon. Member for Somerset they would be able safely to give the Treasury the discretion the hon. Gentleman asked. But he failed to see any symptom of the right hon. Gentleman being likely to accept the Amendment in the remarks he had addressed to the House.

Question put, and agreed to.

SIR J. LUBBOCK said, he now desired to leave out "antiquities," in order to insert "other objects." He had gathered from the right hon. Gentleman the Chancellor of the Exchequer that he would be willing to accept these words so as to cover scientific objects.

SIR W. HARCOURT (interrupting) said, that "other objects" would cover more than scientific objects. If the right hon. Gentleman would propose the words "scientific objects" they would be acceptable.

SIR J. LUBBOCK said, that if that were done he did not think the words would cover ancient statues of great value or ancient coins, or collections of old china, old glass, gems, or studies by ancient masters. It was dangerous to mention specific articles, as there might

be other things of great interest and value left which would not technically come within the clause. It would be left to the Treasury to determine whether certain articles should be accepted as coming under the clause. They would not be bound to accept them. They could refuse them if they were not worthy of being accepted by the nation; therefore, he failed to see what would be gained by accepting the limitation suggested by the right hon. Gentleman.

Amendment proposed to the proposed Amendment, in line 3, to leave out the word "antiquities," and insert the words "other objects."—(*Sir J. Lubbock.*)

Question proposed, "That the word 'antiquities' stand part of the proposed Amendment."

SIR W. HARCOURT said, this was the result of concession. First of all, there were half-a-dozen proposals submitted; then when he made a concession the right hon. Baronet was not satisfied, but wished to have it extended to everything. There must be some definition of the articles to be included under the clause. An hon. Member had spoken highly of the intelligence of the Inland Revenue officials, but in this matter the discretion would be exercised by the First Lord of the Treasury and the Chancellor of the Exchequer, and surely they would have intelligence enough to be able to discharge this duty. He would agree to the insertion of the words "scientific collections."

SIR J. LUBBOCK said, he would withdraw the Amendment in order to move to leave out the word "or" in line 3 of the proposed Amendment.

Amendment to the proposed Amendment, by leave, withdrawn.

Amendment proposed to the proposed Amendment, in line 3, to leave out the word "or."—(*Sir J. Lubbock.*)

Question proposed, "That the word 'or' stand part of the proposed Amendment."

*SIR M. HICKS-BEACH said, it seemed to him that in naming these things they were running the risk of leaving out something that it would be very desirable to include. Would it not be much better, instead of attempting to

specify everything, to use the words "works of art and scientific collections"? There might be modern statues as well as ancient ones.

*MR. BUTCHER said, that in selecting the word "antiquities" he was perhaps a little unfortunate, as it would exclude such things as modern statues. In principle he did not see any difference between modern statues and ancient statues for the purpose of this clause. He thought it just as reasonable to exempt the one from duty as the other. It was desirable above everything in this House to be modest, but he was afraid that on this occasion he had been led into too great a fit of modesty, and had made the clause too narrow. Fully recognising as he did that the Chancellor of the Exchequer had met the case in a very fair way, he would ask him if words could not be introduced into the Amendment to prevent its undue limitation.

SIR W. HARCOURT said, that when he had made his concession he had thought that that would be final. If he accepted the words suggested by the right hon. Baronet opposite what would there be to protect him from further demands on the part of hon. Gentlemen in other quarters? He should be willing to adopt the words "works of art and scientific collections." He trusted that he should be protected against further appeals in this direction.

MR. GOSCHEN said, he was glad the Chancellor of the Exchequer was prepared to go so far, and he, with other Members on that (the Opposition) side of the House, would do what he could to protect the right hon. Gentleman from further demands. He thought it right to say that many people considered this a very important matter, although the Opposition had discussed it very briefly, and with a desire to come to a conclusion as quickly as possible. He hoped the Chancellor of the Exchequer would not think that it had been pressed unduly.

SIR W. HARCOURT: Will the right hon. Gentleman move to leave out "or antiquities," in order to insert "works of art or scientific collections"?

Question put, and agreed to.

SIR W. HARCOURT said, he thought the word "antiquities," which was not a thoroughly English word, should be left out.

Amendment proposed to the proposed Amendment, in line 3, to leave out the word "antiquities," and insert the words "works of art or scientific collections."—(*Sir W. Harcourt.*)

Question proposed, "That the word proposed to be left out stand part of the proposed Amendment."

SIR F. S. POWELL (Wigan) said, he must say a word on behalf of "antiquities." Antiquities might not be works of art, and works of art might not be antiquities.

MR. GIBSON BOWLES said, that the Amendment would imply that pictures were not works of art. No doubt they were not always works of art, but he did not think the two things should be put in different categories. The best method of dealing with this question would be to provide that the clause should apply to articles "left for preservation and not for sale." He had an Amendment on the Paper to that effect.

Question put, and negatived.

Amendment proposed to the proposed Amendment, in line 4, after the word "national," to insert the word "scientific."—(*Sir J. Lubbock.*)

Amendment agreed to.

MR. FREEMAN-MITFORD (Warwick, Stratford) said, he desired to move, in line 5 of the proposed Amendment, after "purposes," to insert "or to any University or learned body." His object was to provide that if a man left any valuable collection of works of art or articles of scientific interest to a University or learned body, it should be exempted from aggregation, and no longer subjected to the risk of disappearing. The right hon. Gentleman had included County Councils and Municipal Corporations in the list of bodies that were to be exempted, but surely Universities had a far more catholic scope than either Municipal Bodies or County Councils. The Royal College of Surgeons and the Hunterian Museum, for instance, were institutions to which people might very well leave valuable collections, and it would be very unfair to the heirs of such people if such bequests were aggregated like the rest of the estate. The very moderate Amendment he had put down needed no lengthy words to commend it.

Amendment proposed to the proposed Amendment, in line 5, after the word "purposes," to insert the words "or to any university or learned body."—(*Mr. Freeman-Mitford.*)

Question proposed, "That those words be there inserted in the proposed Amendment."

SIR W. HARCOURT said, he thought he had already stated the principle on which he was prepared to accept Amendments. No one could accuse him of indifference to the Universities of England, but those Universities were not in any sense representative bodies—except in that House. That was to say, the public had no rights over the property of the Universities. The Universities and learned bodies could do with their property, so far as the public at large was concerned, whatever they liked. If they chose to say these objects, scientific or artistic, might be seen by some people and not by others, they were perfectly entitled to do so. County Councils and Corporations were representative bodies, and he did not think that they could safely go beyond these. He rested his case on that principle. As had been well said, so far as the possession of museums and such things were concerned, these bodies were merely local sections of the nation. Loan collections were sent down to them from time to time from the national museums and galleries, and in this way local collections were established. He was not saying that they should not encourage the Universities, but that they were not on the same footing as these other bodies. As to "learned bodies," it was difficult to say what was a learned body, and he did not think it was safe to go beyond the limits which had been specified. The right hon. Gentleman the Member for Bristol, the noble Lord behind him, and his (*Sir W. Harcourt's*) hon. Friend below the Gangway on the Ministerial side of the House thought he had already gone too far.

SIR J. LUBBOCK said, he did not think they had arrived at the end of this question yet. They were discussing it as though those who left these objects to Universities and Municipalities were doing an injury to the nation and ought to be discouraged. Surely they ought to encourage these bequests as far as

possible. No one would deny that these bequests, if made to Universities and schools, were as useful as if made to representative bodies. He did not see what the fact of a body being representative had to do with the point. The question was, would it be to the advantage of the nation that bequests of this kind should be made? If it would they should not be discouraged. It seemed to him as though the Government were looking with a jealous eye upon these bequests. ["No, no!"] Then why did they not encourage them? Although Universities and Colleges might not be representative bodies the managers and trustees had not power to use these articles to their profit. They held them, practically, for the benefit of the public—in fact, the right hon. Gentleman the Member for Bodmin was of opinion that these bodies would be covered by the words of the Amendment. If the hon. Member went to a Division he (Sir J. Lubbock) would support him.

*SIR F. S. POWELL said that, as a Member of the Court of the Victoria University, he desired to put in a plea for that University—both for the University itself and also for the colleges, which were rapidly advancing in popularity, and to which important bequests were made. It was a mistake to suppose that any bequest to these Universities would not be open to the public. So far as the Cambridge University was concerned, its museum was open to the public once a week. The same liberality would be shown by other Universities. He therefore hoped that the right hon. Gentleman, having gone so far, would go one step further. He was confident that he would not regret it.

*SIR M. HICKS-BEACH said, it seemed to him absurd that the Town Councils of Oxford and Cambridge should be relieved from duty on bequests of this kind—bequests, for instance, of scientific collections—and that the Universities of those towns, which had far better means of utilising such bequests for the public advantage should pay duty. As the right hon. Gentleman had gone so far, he thought he might well include Universities.

SIR W. HARCOURT: I concede the Universities.

MR. COURTNEY: Then I move to omit the words "or learned body."

Amendment proposed to the proposed Amendment to the proposed Amendment to leave out the words "or learned body."
—(Mr. Courtney.)

Question proposed, "That the words proposed to be left out stand part of the proposed Amendment to the proposed Amendment."

MR. FREEMAN-MITFORD said, that some of the learned bodies bore as national a character as the Universities.

SIR W. HARCOURT thought they ought not to go on discussing the question after the concession he had made.

MR. CARSON (Dublin University) said that, as a University Member, he felt deeply grateful to the Chancellor of the Exchequer for the concession he had made.

MR. BUTCHER thought the various colleges of the Universities should be placed on the same footing as the Universities themselves in regard to this concession.

Question put, and negatived.

Words, as amended, inserted.

SIR W. HARCOURT, in moving an addition to Clause 15 exempting from the Estate Duty pensions and annuities payable to the widows and children of the deceased officers, said the addition was necessary, because, although an annuity or pension payable entirely by the Government would, as the law stood, be exempt, yet if the officer during his lifetime had contributed towards the amount, it would make it subject to the duty. He desired, therefore, to make it clear that the exemption should apply in all cases. He had discussed this matter with gentlemen who were interested in the subject, and they regarded the Amendment, he believed, as a satisfactory solution.

Amendment proposed, in page 12, line 37, at end, add—

"Estate Duty shall not be payable in respect of any pension or annuity payable by the Government of British India to the widow or child of any deceased officer of such Government, notwithstanding that the deceased contributed during his lifetime to any fund out of which such pension or annuity is paid."—(Sir W. Harcourt.)

Question, "That those words be there added," put, and agreed to.

*MR. THORNTON (Clapham) said, that when the House in Committee re-

solved that manuscripts should be taxed upon their capital value, he decided that on the Report stage he would make an appeal to the Chancellor of the Exchequer to make an exception in the case of the manuscripts published by the Historical Manuscripts Commission, although he confessed he did not do so with a very good heart, or with much hope of success. Still, he would ask the House to listen to him for a few minutes while he tried to render less hard the heart of the right hon. Gentleman. The Historical Manuscripts Commission had during the last 50 years issued a large number of volumes of historical records, and these volumes had been indebted for their great value to the access given to manuscripts of great importance which were to be found in various parts of the country. He feared that this change in the law would militate against the publication of these documents, not in the sense that owners of them would be deterred from allowing access to them, but by reason of the expense which would have to be incurred in putting and keeping them in order. As anybody cognisant with the subject well knew, there were in many places most valuable documents which were in a condition of the greatest confusion, and he contended that if they were to be subject to duty on the death of the owner, the liability would act as a great deterrent to the owner in the matter of seeking them out and putting them in order. The tendency would, in fact, be to neglect them. Since he placed his Motion on the Paper he had endeavoured to discover the current prices of letters of a holograph character. He was very much struck by an observation made by the Member for Rochester, to the effect that it would be very difficult to place any value upon them, and he had in his hand a pamphlet giving the current values of some of these letters. These would show a great irregularity in the value, as well as the great sums at stake. Taking documents of the 16th century, he found that a signed letter of Henry VII. was to be sold for £48, an autograph letter of Henry VIII. for £8, a holograph letter of Lord Burleigh for £25, a signed letter of Queen Elizabeth to Charles IX. of France for £18 18s., a holograph letter of Mary Queen of Scots for £125, and a signed letter, Maitland of Lethington, for £25. Passing on to the next

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century, they had offered a holograph letter of Swift for £40, one of Sir Joshua Reynolds for £25, three or four of Dr. Johnson for £60, one fetching £22 10s.; a letter of Robert Burns £35, and a song £32, and a letter of Lord Bolingbroke £6 6s. High prices ruled, too, for holograph letters and autographs of Addison, Boswell, the Chevalier de St. George, Pope, Burke, David Hume, Lord Byron, Charles Lamb, and Shelley, and the values, he ventured to assert, were daily increasing. He might mention that, only recently, a friend of his, a Member of the House, had discovered in his muniment chest the whole of the correspondence between Lord Bolingbroke and his secretary about the Treaty of Utrecht. It was very difficult to put a value, for purposes of duty, upon such documents; and he was certain that if the Chancellor of the Exchequer could see his way to relax his intention in regard to this matter, the right hon. Gentleman would receive the thanks of literary men throughout the country, and would assist in keeping up the high character which historical learning in this country now possessed. In order to maintain that character, access to public documents was absolutely necessary, and it could never have been attained had it not been the practice of noblemen and gentlemen in allowing their manuscripts to be searched. Nobody denied that this literature was of a highly valuable character, and he did appeal to the Chancellor of the Exchequer not to do anything which would interfere with the success of the work of the Historical Manuscripts Commission.

Amendment proposed, in page 12, line 37, after the last Amendment, to insert the words—

“Estate Duty shall not be payable in respect of manuscripts which have been published by the Historical Manuscripts Commission, and which, since such publication, have neither been alienated by sale or gift.”—(*Mr. Thornton.*)

Question proposed, “That those words be there inserted.”

SIR W. HARCOURT said, he had great sympathy with the object of the hon. Member, and certainly coincided with him in the enormous interest attaching to the publications mentioned in the Amendment. He thought they were by far the most interesting books of

modern times, but he was afraid he could not differentiate in the way proposed. To do so would not, indeed, be commensurate with the argument of the hon. Member. A large part of the publications of the Historical Manuscripts Commission were not MSS. in *extenso*, but were only extracts or catalogues. He was very interested to hear the announcement as to the recent discovery of papers, and if the hon. Member would return good for evil by obtaining for him a sight of the letters of Lord Bolingbroke to his secretary respecting the Treaty of Utrecht he would be extremely obliged to the hon. Member. As was well known, many manuscripts could not with wisdom be published, such as those which disclosed the secret history of the American War, and which, although not published, were referred to by the Historical Manuscripts Commission. Interesting as the subject was, he was afraid the Amendment was not one which the Government could accept.

*SIR M. HICKS-BEACH (Bristol, W.) said, he could not help thinking that the Chancellor of the Exchequer was not opposed in principle to this Amendment. He suggested that the right hon. Gentleman might, perhaps, see his way to accept the Amendment in another form. The particular objection he had raised was that many of these manuscripts from their very nature could not be published, but could not that difficulty be overcome by inserting after "published," the words "or catalogued"? The principle which it was desired to establish was, it seemed to him, a sound one, and it was one which they had endeavoured to enforce on the right hon. Gentleman, in many previous discussions on the Bill, with regard to heirlooms which might be of importance not only to the family but also to the nation. These manuscripts were in many cases of greater historical value than jewels or other heirlooms of that kind; and a poor family might find it impossible to retain them on account of the heavy duties imposed by the Bill. As the right hon. Gentleman had admitted, these historical manuscripts formed a most important part of the history of this country, and the fact that they had been carefully preserved in many cases was the proof of the value attached to them by the owners. Surely their being so preserved there for the benefit

of the history of the country ought not to create a liability for heavy duties on the death of successive owners? He confessed that that did seem to him to be something akin to injustice, and, therefore, if his hon. Friend pressed the Amendment to a Division, he would support him in the protest against what was undoubtedly a very great hardship inflicted by this Bill.

MR. GIBSON BOWLES (Lynn Regis) said, that once again he found himself to side with the Chancellor of the Exchequer. If manuscripts of public interest were left to a Public Body they were already exempt from duty; and, further, he asked the House to note that the Amendment only proposed to grant exemption to such manuscripts as were published by the Historical Manuscripts Commission. Therefore, it would apply to only a small number, and not to the most interesting of those in existence. If anyone had manuscripts he wanted to bring into the market, he had nothing to do but give them to a County Council, which would be sure to sell them the day after, probably for about half their value. There was nothing in the Amendment to prevent that being done. But, if there were to be exemptions, he would rather exempt a man's acres than his papers.

COMMANDER BTHELL (York, E.R., Holderness) said, his hon. Friend was obviously rather a Philistine. But he had mistaken the object of the Amendment, which was to grant the exemption to all manuscripts which had either been published or referred to by the Historical Manuscripts Commission. If this exemption were passed, there would be a motive to people who had manuscripts to put them in order and bring them before the Manuscripts Commission as early as possible. He did not think that the Chancellor of the Exchequer, in his reply, paid sufficient attention to that point.

Question put.

The House divided:—Ayes 174; Noes 236.—(Division List, No. 182.)

MR. GIBSON BOWLES moved, in page 12, line 37, after the last Amendment, to insert the words—

"(1) Notwithstanding anything in this Act contained no Estate Duty or further Estate

Duty shall be leviable in respect of property passing on the death of a deceased person—

“(a) which is given or devolves to or for the benefit of any of the Royal Family ; or

“(b) which is given or devolves to or for the education or maintenance of poor children in Ireland, or the support of any public charitable institution in Ireland, or for any purpose merely charitable.

“(2) Provided always, that nothing in this clause contained shall exempt any property passing on the death of a deceased person from the payment of a duty equivalent in amount to the Probate Duty which would have been payable before the passing of this Act had such property been personal estate.”

The hon. Gentleman said the purpose of this Amendment was, in effect, no other than to carry on the existing exemptions in the Probate Act. These exemptions had existed since the commencement of the Succession and Legacy Duty Acts in almost exactly the words he had put down. With regard to Section C, he did not propose to move that, because he considered the Committee had decided what action should be taken with regard to that particular property. His Amendment related that property which went to the Royal Family should be exempted from duty except in respect of an amount equivalent to the Probate Duty. That exemption had existed, as he had said, since the passing of the Legacy Duty Act, and was adopted in the Succession Duty Act, and from then to this day no Legacy or Succession Duty had been levied in regard to property passing to the Royal Family. The Probate Duty had been levied except in case of property passing to the Sovereign, who required no confirmation of any testamentary disposition; but with regard to gifts to any other member of the Royal Family, Probate Duty was payable, but not Legacy or Succession Duty. The Estate Duty set up by the Bill was composed of two parts—partly of the increased Probate Duty and partly of the merged Succession and Legacy Duties. That increased charge was very considerable. He did not know whether it was intended by this Bill to place for the first time through the agency of this Estate Duty—in case no such exemption as he proposed was made—upon the Royal Family a Succession and Legacy Duty of 1 per cent., inasmuch as this formed part of the merged Estate Duty. He did not think

that could be the intention of the Government. It would be noticed that his Amendment did not repeal the Probate Duty, because he provided that—

“Nothing in this clause contained shall exempt any property passing on the death of a deceased person from the payment of a duty equivalent in amount to the Probate Duty which would have been payable before the passing of this Act had such property been personal estate.”

He now came to paragraph “b,” which proposed to continue the existing secular exemption in respect of property—

“Which is given or devolves to or for the education or maintenance of poor children in Ireland or the support of any public charitable institution in Ireland or for any person merely charitable.”

In its wisdom the Legislature had thought fit to grant to Ireland, in this case, as in other cases, exemption from taxes levied upon other parts of the United Kingdom. As in the case of the Royal Family, he thought that if this exemption was not to be continued some reason should be given. He did not see why a different principle should be adopted now—he did not say with regard to that part of the Estate Duty which embodied Probate Duty—but with regard to that part of the Estate Duty which consisted of the Legacy and Succession Duties. He begged the Committee to consider that every halfpenny of Legacy and Succession Duty hitherto levied at 1 per cent. formed part of the Estate Duty under the Finance Bill. Therefore it was necessary, unless a new principle was to be adopted, that his Amendment, or something like it, should be carried, because otherwise the Government would be imposing a new tax on both the classes he had mentioned. The Royal Family was a large and increasing class, and he thought the Chancellor of the Exchequer would feel that if an entirely new tax was to be placed upon them the least he could do was to give a reason for it.

Amendment proposed, in page 12, line 37, after the last Amendment, to insert the words,—

“(1) Notwithstanding anything in this Act contained no Estate Duty or further Estate Duty shall be leviable in respect of property passing on the death of a deceased person—

(a) which is given or devolves to or for the benefit of any of the Royal Family ; or

(b) which is given or devolves to or for the education or maintenance of poor children

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in Ireland, or the support of any public charitable institution in Ireland, or for any purpose merely charitable.

(2) Provided always, that nothing in this clause contained shall exempt any property passing on the death of a deceased person from the payment of a duty equivalent in amount to the Probate Duty which would have been payable before the passing of this Act had such property been personal estate."—(*Mr. Gibson Bowles.*)

Question proposed, That those words be there inserted."

SIR W. HARCOURT said, he entirely disputed that this Bill added anything to the liability of the persons to whom the hon. Member had referred. The exemptions of which he had spoken would be continued as now. These persons had always paid Probate Duty, and now it was proposed that they should pay Estate Duty. He demurred altogether to the assertion that Legacy and Succession Duty was merged in the Estate Duty. On the contrary, the Legacy Duty was, to a large extent, discharged altogether. In fact, it might be said to have gone.

MR. GIBSON BOWLES : There is 1 per cent.

SIR W. HARCOURT continuing, said, No ; and that while it was perfectly true that there would be a higher payment under the Bill, there was no reason why the persons named by the hon. Gentleman should not pay the Estate Duty. The Government saw no reason why any such exemption should be made. It was true that Probate Duty was not paid in respect of gifts to the Sovereign, but he could conceive of no argument whatever for making exemptions under the Bill to members of the Royal Family, who at present had an immunity which they would continue to enjoy. As they paid Probate, so they would now pay Estate Duty ; but the hon. Gentleman opposite (*Mr. Gibson Bowles*) seemed to have in view the keeping up of the old Probate Duty, which was discharged under the Bill, for the purpose of putting the tax upon the Royal Family.

MR. GIBSON BOWLES said, he had mentioned also the Irish charities.

SIR W. HARCOURT said, there was no additional burden put upon the Irish charities either. He thought that the suggestion to keep alive a separate system for the purpose of charging the two classes of persons mentioned in the

Amendment was not a practical proposal, and ought not to be accepted.

Question put, and negatived.

*MR. BUTCHER moved, in page 12, line 37, after the last Amendment, to insert the words—

"Estate Duty shall not be payable upon any death upon which, but for this section, it would become payable, in respect of any annuity granted by an employer to an employee, or the widow of an employee, in consideration of the past services of such employee."

He said he thought the Amendment which he proposed would be of considerable interest in the country. Its object was to obtain a remission of duty in cases where an employer having made an arrangement by which an injured workman was to receive an annuity, that annuity fell in. The House might consider the case of a workman injured in course of his employment to whom the employer gave £200. In case of a gift that amount would go out of the employer's estate, and, of course, would not be chargeable with duty. But if, instead of giving the workman a lump sum down, the employer did what was very much better in the interest of the workman, and expended £200 in the purchase of an annuity during his life, in case of accident, or for the benefit of his widow in case of death, what happened would be this : that if the workman or his widow died during the life of the employer, the employer, when the annuity fell in, would have to pay duty upon the value of the annuity. Surely that was neither fair nor just, nor was it to the interest of the working classes that there should be procedure of the sort. He was not saying that a generous employer would not make the best possible provision for his workmen without any regard to the circumstances attending the possible falling in of an annuity, but he did think that the State ought to encourage generosity as between employers and their workmen by making exemptions of Estate Duty in such a case as he had described. He would ask the Solicitor General to favourably consider his proposition, and to take into account that unless the exemption were granted the duty might be evaded by the payment of a lump sum down instead of in the form of an annuity.

Amendment proposed, in page 12, line 37, after the last Amendment, to insert the words—

“Estate Duty shall not be payable upon any death upon which, but for this section, it would become payable, in respect of any annuity granted by an employer to an employee, or the widow of an employee, in consideration of the past services of such employee.”—(*Mr. Butcher.*)

Question proposed, “That those words be there inserted.”

***SIR J. RIGBY** said, this was another instance of the ingenuity of hon. Gentlemen opposite in endeavouring to find out exceptional instances under which there should be no payment of the duty. In all probability a case would never arise to which this Amendment would apply, and he did not suppose that anyone ever heard of an employer, charging his estate with an annuity in favour of a workman or a servant. He should think that it would be only once in a hundred thousand times that an employer having charged his estate with an annuity to an employee, that annuity fell in. If there were no charge there would be no passing of property and no Estate Duty.

MR. GRANT LAWSON said, there must be a good many instances in which employers gave annuities to their old servants, and he knew some cases himself. He was sorry that the Attorney General should have cast a slur upon the employers of this country. If a man covenanted to pay an annuity to a person and that person died, the estate of the man who had made the covenant was increased by the death of that person, and he was certain that if the estate was increased in value the framers of the Bill intended to create something for the State out of the increase of property. These matters had to be regarded with a view to graduation and aggregation. The Attorney General had paid hon. Members on his side of the House a compliment as to the ingenuity with which they sought for exceptional cases, but this, at all events, was a question of great importance, because a remission of the sort must have the effect of placing the estate in a position in which the lower Estate Duty had to be paid. According to the clauses of the Government a man would have to pay upon his own money when an annuity fell in.

MR. A. J. BALFOUR said, he was somewhat puzzled by the speech of the

Attorney General, and he should like to put a question or two to the Solicitor General in order to clear up several important points. He understood the hon. and learned Gentleman the Attorney General to mean that the exemption applied only to cases where the property was charged, and not to cases where an employer covenanted to pay a workman an annuity for life, and that to make an employer pay Estate Duty when that annuity was not a charge upon the estate but only a covenant to pay would be a great hardship. That was an intelligible view enough, but the question was whether it was the view which the Government took in the Bill. As he read Sub-section 2 of Clause 2 of the Bill it made no difference whether an annuity was charged on an estate or whether there was only a covenant to pay, because in either case it was clearly property passing on the death of the deceased, and actually would pass to the man who originally gave that property, and revert to him although he had only promised to pay the money and did not charge it upon his estate. If the Attorney General was right, and if a man having made a covenant to pay an annuity of £25 a year or £2,500 a year had not to pay Succession Duty in case of such annuity falling in, well and good, and the Amendment need not be pressed; but if he (*Mr. Balfour*) was right in his rendering of Sub-section 2, and, as he thought, the Government meant to catch this as every other kind of property in their net, then it was obvious that the speech which the Attorney General had made was irrelevant from beginning to end, and that they must require a new defence of the action of the Government.

MR. R. T. REID said, he was happy to be able to assure the right hon. Gentleman who had just spoken that the Bill was not so drastic as he appeared to imagine. If a man promised or covenanted to pay a certain amount by way of annuity to a workman during life, upon the death of that workman no property would be released at all and no Estate Duty could be calculated. But if the annuity had actually been charged on the property, it would, upon falling in, naturally have to pay Estate Duty. He thought that matter must be perfectly clear.

MR. BARTLEY said, he should like to understand whether the Government meant that if a parent covenanted to give a certain amount to a child and that child died during the life of the parent, there would be no Estate Duty payable, or that in the case of a marriage settlement of so much a year the amount would not be taxable if the child should die before the parent.

MR. A. J. BALFOUR: The Estate Duty would not be chargeable upon a covenant.

Question put, and negatived.

*SIR M. HICKS-BEACH moved, in page 12, line 37, at end, add—

"Estate Duty shall not be payable in respect of any advowson or church patronage which would have been free from Succession Duty under Section 24 of The Succession Duty Act, 1853."

Amendment agreed to.

*MR. BUTCHER moved, in page 12, line 37, after the last Amendment, to insert the words—

"If any property passes on the death of the deceased to any charity or charitable institution or hospital, such property shall not be aggregated with the rest of the property passing on the death of the deceased, but shall form an estate of itself."

He said the House would see that the Amendment was framed in the interests of charity. So far as charities were concerned, he would point out that if ever there was a time when relief ought to be given it was the present, because many of the large London hospitals were dependent upon revenues derived from agricultural lands, and owing to the depressed condition of agriculture they had suffered severely. Consequently, he thought they ought even to stretch a point in favour of hospitals. But the Amendment affected other interests. In the case of a man who settled £5,000 upon his son, but who chose to give £50,000 to charities, the £5,000 would be aggregated with the £50,000, and instead of paying 2 per cent. the son would have to pay 4 or 5 per cent. He asked the House if that was reasonable? Surely if a man was benevolent enough to give a large sum of money to charities it would not be fair to say that that sum should pay Estate Duty and be aggregated for that purpose with the rest of his property. The House would understand that he

did not propose by this Amendment to exempt from duty all gifts to charities and hospitals. What he proposed to do was to charge the duty at the proper figure, so that if a man separated a charitable bequest from the rest of his property, the separated properties should only pay the amount of Estate Duty appropriate to the individual amounts.

Amendment proposed, in page 12, line 37, after the last Amendment, to insert the words—

"If any property passes on the death of the deceased to any charity or charitable institution or hospital, such property shall not be aggregated with the rest of the property passing on the death of the deceased, but shall form an estate of itself."—(Mr. Butcher.)

Question proposed, "That those words be there inserted."

*SIR J. RIGBY said, he had enjoyed the benefit of as much experience as anyone in the House with reference to these charitable bequests. He admitted that there were many estimable charities, but he maintained that it was impossible to pick out the meritorious ones at a time like the present. To grant this concession would not be in harmony with the declarations of the Chancellor of the Exchequer made on the same subject earlier in these discussions. The majority of these testamentary gifts to charities were animated by very doubtful motives, and he thought that no encouragement ought to be given to wills that were described as charitable and benevolent, but were not in general either charitable or benevolent.

MAJOR RASCH (Essex, S.E.) said, he hoped the Government would not accept the Amendment. He had every respect for hospitals and charities, but he had no sympathy with people who left money to them when they had no further use for it themselves. These charitable bequests were a sort of fire insurance, and he hoped the Government would not encourage them.

MR. MOWBRAY (Lancashire, Prestwich) said, he understood this Amendment was moved in the interest of the residuary legatee who might take a very small amount of property out of the hands of the executor, and yet would have to pay a very large Estate Duty, because his small property would be aggregated with any large bequest which the testator might make to a charity.

He hoped the Government would do something to remedy this great injustice.

MR. A. J. BALFOUR said, the Attorney General had given them two arguments against the Amendment. He said, in the first instance, that to make this concession would be inconsistent with a declaration made by the Chancellor of the Exchequer with regard to some previous Amendment on the same subject. He had a great regard for the consistency of the Chancellor of the Exchequer, and should be glad to aid his colleagues in maintaining it. But he did not know that the maintenance of the Chancellor of the Exchequer's consistency was a good argument against this Amendment. What was the more substantial argument of the hon. and learned Gentleman? It was that he had had an unique experience in dealing with testamentary gifts to charities, and that his experience convinced him that the great majority of those who left money to charities were animated by contemptible or wicked motives, and that nothing ought to be done to encourage them. The object of his hon. Friend's Amendment was to secure, in the first instance, that the residuary legatee should be protected from payment of duty on charitable bequests, although but a very small portion of the estate might pass to him. The hon. and gallant Gentleman behind him (Major Rasch) seemed to agree with the Attorney General that testators made these bequests from unworthy motives. Did not the hon. and gallant Gentleman see that these testamentary bequests would be promoted by the Bill and diminished by the Amendment? Suppose testators should have a desire to spite their natural heirs by leaving some of their money away to hospitals and public institutions, what an additional pleasure to the persons representing those institutions—what an additional drop of gall in the cup of the unfortunate heir that this money would go upon the principle of aggregation to increase the tax inflicted upon the heir! He altogether objected to assist the wicked in their path of wickedness, but it seemed that the Government were desirous of placing an additional weapon in the hands of those malevolent beings, while he was desirous of depriving them of the power, not of leaving part of their property away to whom or for whatever objects

they chose, but, in leaving it away, of saddling the rest of the property not left away, with an additional burden. That was the proposal of the Government. He did not think, however, the House need concern itself much with either the morals here or the prospects hereafter of those wicked monsters. Whatever the object of the Bill might be, it was not, at all events, a missionary effort. But they might have some regard to the destination of these bequests to charitable institutions though their benefit might be possibly the last motive of these testators. What did it matter to the House whether they meant to spite their heirs or not if the recipients of the bequests were some of the great London hospitals or other public institutions greatly in want of money? He agreed that if this Amendment would encourage testators to spite their heirs, he should have nothing to do with it; but if they were to have regard to the motives of these black-hearted gentlemen who were disposed to leave their money away in this manner, the House ought to do everything in its power to increase the amount of money so given away rather than diminish it. In America bequests were often made during lifetime, and when he reflected upon the amount of money given in that way to public institutions, and compared it with the comparatively thin and poverty-stricken stream which flowed into the coffers of our great charities and philanthropic societies, he felt that they set us an example which we should do well to follow. We had had, of course, many instances even in recent times of such bequests, but they should not be discouraged even after death. While agreeing with his right hon. Friend that this Amendment was largely made in the interests of the heir and not so much in the interests of the charities, he still felt that in cases where money was not given for any malignant purpose, such as was suggested, but from a desire to benefit some public institution by a bequest of which it stood in need, care should be taken to avoid the injury which would nevertheless fall on the ordinary natural heirs of the testator taking the rest of the property. At an earlier period of the discussion on the Bill he had expressed these opinions to the House, and must apologise for repeating them, but he ven-

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tured again to hope that the Government would see its way to making some concession in this matter.

SIR W. HARCOURT said, that this was too large a concession to make, because the effect on the Revenue would be of a serious character.

MR. A. J. BALFOUR: No; it is only a question of the mode of aggregation.

SIR W. HARCOURT confessed that he did not understand upon what principle this claim to exemption rested. The Statute of Mortmain was established to prevent real property from being given away in this manner, and he asked for whom was this particular relief sought? It was not for the heir, but for the benefit of the residuary legatee. He could not agree with the right hon. Gentleman that the stream of liberality did not flow very fully in England with reference to charities. An institution like St. George's Hospital relied upon its income being supplemented by large bequests, and the authorities found they were not disappointed. No doubt, this was the case with many institutions of a similar character. There were other motives in these matters than the malevolence of testators towards heirs as had been suggested. Some years ago a great bequest was made for the Established Church in Scotland, and was said to be the largest sum ever paid as a premium against fire. Various other motives might also be attributed to persons making these bequests. For his own part, however, he was bound to speak in the interests of the Exchequer. It would be an injury to the Revenue to make such an exception as this, and one which he did not think hon. and right hon. Members opposite could sufficiently appreciate. It would, in fact, involve a very large deduction from the Revenue, and he must once more remind the House that they had to provide £5,000,000, or thereabouts, for a public object, in regard to which the expenditure had been authorised by Parliament. Their duty was to find means to meet that expenditure, and it was not his duty to cut down the Revenue by accepting Amendments of this kind. He hoped, therefore, that the House would not support the Amendment.

MR. GIBSON BOWLES thought the Chancellor of the Exchequer had forgotten in his argument that what was proposed here was not that money be-

queathed should be exempted from duty, but that it should be made the subject of separate aggregation. He did not think the principle of aggregation would give the right hon. Gentleman much money, or that he would lose much by adopting it in this particular instance. But the right hon. Gentleman had himself agreed to exempt from all duty the megatherium or the picture of the president of the London County Council as a work of historic interest.

SIR W. HARCOURT: They are not money.

MR. GIBSON BOWLES said, the recipients might be depended upon if it were possible to do so, whether in the case of a megatherium or anything else, they would turn it into money. The Chancellor of the Exchequer was refusing to aggregate separately any sum whether large or small left to a charity; he wanted to get the last drop of blood, the uttermost farthing out of a contribution made even to his own property, St. George's Hospital. That seemed hardly reasonable, and he would rather see the megatherium charged and let the legacy to the hospital go free. But he would point out that this principle of separate aggregation had been adopted in more than one instance in the Bill; in several cases small gifts of property were to be separately aggregated and made estates of themselves. That was all that was asked in this case, and not exemption of duty at all. Consider the hardship in the case of a man who was not particularly in love with his eldest son. In the first place, he must point out that this duty would not fall necessarily on the residuary legatee. The Attorney General and the Solicitor General, who knew more about this Bill than anybody else, constantly made the assumption that there must in all cases be a residuary estate and a residuary legatee. But it was a matter of constant occurrence for people to leave by their wills more property than they possessed, and the specific legacies had to be paid rateably. It was not the fact, therefore, that this large burden would always fall upon a residuary legatee, for in many cases there would be no residue for it to fall upon. Take the hard case of a man leaving £1,000,000 to a hospital and £500 only to his son. What would be the result? By the separate aggre-

gation proposed the hospital would pay £80, and the son £2 10s. But, as matters stood, the son would have to pay at the rate of £40. Not only would he be deprived of his patrimony by his wicked, malignant father leaving practically all his property to the charity, but he would be fined £40 instead of £2 10s. Surely that was never in the contemplation of the Government. In fact, there appeared to be a good many things in the Bill which were never in the Government's contemplation. At all events, in this case there seemed to be no reason why the Amendment should not be adopted, as it sought not exemption from duty, but only separate aggregation.

MR. GOSCHEN said, that the appeal of the Chancellor of the Exchequer to vote against the Amendment on account of the loss which it would entail on the Revenue would have been more effective if the right hon. Gentleman had given the House some idea of the estimated extent of that loss. The House had not been informed by the right hon. Gentleman of more than the general effect of any portion of this measure. So far he had spoken of the necessity of providing £1,000,000, but he now talked about £5,000,000. All that the House had to do with this year, in regard to the Death Duties, was £1,000,000, and they were only now concerned with one year. As the Amendment did not touch the duty, but only the aggregation, the difference which its acceptance would make to the Exchequer could not, in his opinion, be very large. They had only the *ipse dixit* of the Chancellor of the Exchequer that loss would be sustained.

SIR W. HARCOURT said, that statement was founded not merely upon his *ipse dixit*, but on the opinion formed by gentlemen who were most competent to judge, and who assured him that in no other part of the Bill would the loss be so great as if this Amendment were accepted.

MR. GOSCHEN said, if that were the case they must assume that there was some foundation for the statement which the Chancellor of the Exchequer had made; but still he was unable to see how so great a loss was to fall upon the Revenue simply by the aggregation of property passing away from a family separately from that left to the family. He would ask whether it was just or

equitable that where property was left away from a family, the property left to the family was nevertheless to be charged as if that other property remained in the family? Was not that departing from the doctrine of equality of sacrifice? which, although it was, he believed, repudiated by the Chancellor of the Exchequer, yet most of the right hon. Gentleman's supporters put it forward on public platforms. The principle of aggregation landed the Government in every kind of anomaly and injustice. It was full of inequalities, and it was now admitted by the Chancellor of the Exchequer that it was anticipated a large revenue was going to be realised from the aggregation of property left away from a testator's family with that left to the family.

MR. HENEAGE (Great Grimsby): reminded the House that the Chancellor of the Exchequer upon an Amendment dealing with insurance had stated that the loss to the Revenue would be £500,000, and the right hon. Gentleman now stated that he anticipated a loss of more than half-a-million from the acceptance of the present Amendment. That must be the case, as he had stated that this would make the largest inroad into the Revenue of any Amendment proposed in regard to revenue from Death Duty taxes.

SIR W. HARCOURT: I was speaking not merely of the present, but of future years.

MR. HENEAGE thought that future years might be left to take care of themselves. The House had been told exactly the same tale as to losses of Revenue in regard to other Amendments, and all other statements could not be literally accepted. If all the losses anticipated by the Chancellor of the Exchequer from the acceptance of Amendments could arise the total loss would amount to at least three times as much as the right hon. Gentleman proposed to get.

*MR. DARLING (Deptford) said, the speech of the Chancellor of the Exchequer had hardly done justice to the argument of the Attorney General, who objected to the Amendment, and desired the clause to stand in its present form on the ground that it was desirable not to discourage testators from leaving bequests to hospitals and other public charities. The Amendment, it was ob-

jected by the hon. and learned Gentleman, would prevent people from making such bequests at all, while the Chancellor of the Exchequer objected to the loss which the State would sustain from this pernicious practice of leaving money to hospitals and other public and charitable institutions instead of leaving it to the persons to whom otherwise it naturally would go. If it were said that this Amendment could not be accepted because it would interfere too much with the scheme and framework of the Bill how did the right hon. Gentleman the Chancellor of the Exchequer justify Clause 4 which told them how they were to determine the amount of the Estate Duty and went on to say—

"Provided that any property so passing in which the deceased never had an interest or which under a disposition not made by the deceased passes immediately on the death of the deceased to some person other than the wife, or husband, or a lineal ancestor, or lineal descendant of the deceased, shall not be aggregated with any other property, but shall be an estate by itself, and the Estate Duty shall be levied at the proper graduated rate on the principal value thereof ;"

and so on. Why, if the settlement was not made by the deceased, was it right to deprive the Exchequer of this money, which would have come from the aggregation of the estate, and wrong to do it if the settlement or will was made by the deceased? In the one case the property was not going to a relation, and this exception was made so as to prevent its being aggregated. But in the present case, where the money was to go to a hospital, no such exception was to be made for the conflicting reasons that (according to the Chancellor of the Exchequer) the State would lose, and (according to the Attorney General) if the Bill were left as it was no one would leave money to hospitals which, as he said, was a desirable state of things to bring about. It had been assumed that people leaving property behind them would never bequeath a large amount to hospitals and a small amount to their relatives. But he believed the late Sir Erasmus Wilson left £260,000, of which £200,000 was to go to the College of Physicians or the College of Surgeons and £60,000 to the widow and other persons. He could not see the justice of asking the surviving relatives to pay duty at the high rate of 7 per cent., because the £60,000 came out of an aggregated estate of £260,000. Clearly the

Attorney General's reason was the one actuating the Government; that was to say, the desire to discourage people from leaving money to charities in any shape or form. Now that this was seen to be the object of the Government, he hoped that people who were likely to be benefited by hospitals and charitable institutions in London would take note of it.

Question put.

The House divided :—Ayes 158 ; Noes, 217.—(Division List, No. 183.)

On Motion of Mr. R. T. REID, the following Amendments were agreed to :—

Page 12, line 41, leave out "procedure for."

Page 12, line 41, after "obtaining," insert "of."

Page 13, line 3, leave out "on," and insert "in respect of."

Amendment proposed, in page 13, line 5, to leave out the word "settled."—(Mr. R. T. Reid.)

Question proposed, "That the word 'settled' stand part of the Bill."

Mr. GIBSON BOWLES said, this was a portion of a further Amendment which largely increased the area of property for taxation. The clause said—

"Where the gross value of the property real and personal on which Estate Duty is payable on the death of the deceased, exclusive of settled property, does not exceed five hundred pounds, and where the gross value does not exceed three hundred pounds, the fixed duty shall be thirty shillings, and where the gross value exceeds three hundred pounds, the fixed duty shall be fifty shillings."

He objected to leaving out the word "settled" in order to insert after "property" the words "settled otherwise than by the will of the deceased." Whether the property was settled by deceased or otherwise it did not seem to him to matter at all, and under cover of leaving out "settled" a large increase of the tax would be raised. It seemed to him that the Amendment was a breach of the arrangement made with the Irish Members. Almost all the properties in Ireland were small, and it was largely in deference to the representation of the Irish Members that these exemptions were made. Now it was proposed in a large number of cases to withdraw them.

Mr. R. T. REID said, the hon. Member quite exaggerated the effect of the Amendment. With the Amendment the clause would read—

"Where the gross value of the property real and personal in respect of which Estate Duty is payable on the death of the deceased, exclusive of property settled otherwise than by the will of the deceased, does not exceed £500."

Question put, and negatived.

Amendment proposed, in page 13, line 19, at end, add—

"Where the fixed duty of 30s. or 50s. is paid within 12 months after the death of the deceased, interest on such duty shall not be payable."—(*Mr. R. T. Reid.*)

Question proposed, "That those words be there added."

Mr. BARTLEY said, he quite agreed with this Amendment, but he thought it should be distinctly understood that it was not much of a concession as the highest interest that could be claimed during the 12 months would be only 1s. 6d. and the lowest would be 8d.

Question put, and agreed to.

*Mr. BARTLEY said, he had to move the insertion of a new scale in place of that which appeared in Clause 17. He was sorry to see that the Chancellor of the Exchequer (Sir W. Harcourt) was not in his place, as he had hoped that he would have considered, even at the last moment, that some alteration might be made in the scale he proposed. In the Committee stage another scale which he proposed was not accepted, and he now ventured to move this new one with the object of doing away with grievous anomalies which would arise near the points where the line was drawn by the Chancellor of the Exchequer. The scale he proposed seemed to be very much fairer in every way than that of the Government, and he thought it would not materially affect the receipts of the Exchequer. The scale given in the Bill named a number of points at which a large jump was made in the duties imposed. The jumps thus made were biggest at the bottom and smaller as the scale went up. He thought that was somewhat anomalous, and that the scale should make larger jumps at the top than at the bottom. As it was, the scale would inflict immense hardship on those persons whose estates happened to be near the line, and the result must be to induce such persons wherever they possibly could to bring their estates below the line. It must be obvious that in valuing personal estates and even Stock Exchange securities of the first

class it was possible to vary the rate 1 or 2 per cent. according to the scale given in the Stock Exchange lists, and it would be comparatively easy in this way to bring an estate below the fictitious lines drawn in the Bill. Under the Chancellor of the Exchequer's scale an estate of £500 would pay a duty of 50s., while an estate of £600 would pay a duty of £12, so that practically £9 10s. extra would be paid for the additional £100. Therefore, the additional £100 would be made to pay at a higher rate than that of the highest possible scale on which a millionaire was charged. He wished to ask the House whether this was a reasonable proposal? Then they came to the scale of £1,000. A man leaving £1,000 would pay £20 duty, but a man leaving £1,100 would pay 33 per cent., i.e., he would pay no less than 13 per cent. or more than double that which a millionaire would pay for this extra thrift of £100. Surely that was an anomaly. Again, if a man left £10,000 he paid £300; if he left £11,000 he paid £440—for an extra £1,000 he paid no less than 14 per cent. On £25,000 he paid £1,000 duty, but if he left £26,000 he had to pay £1,170, or 17 per cent. on the extra £1,000. The higher they went the worse it became, and when it came to £250,000 and £251,000, he paid no less than 132 per cent. on the extra. On that part of the scale a man paid so much that his estate had better be of smaller amount. He thought this scale showed the enormous inducement there would be, whatever the value of the estate, to cut it down to just below the margin of the various lines. The fact of bringing the amount below the margin would have the effect of bringing in less money in many cases. It was only right that the scale should be such as to induce a person to make a fair return. He asserted that this scale in the Bill had been framed in such a way as to inflict the maximum amount of hardship. The scale he proposed would remove that hardship, and make the scale fairer. It provided that in the case of an estate of £600, the duty on the additional £100 only should be on the higher scale. The same with the other amounts above given. That would make the scale as fair as it could possibly be. The simple fact that the Chancellor of the Exchequer was not

Mr. R. T. Reid

present told him distinctly that the scale he proposed would not be accepted. He could not help that, however, and he would divide the House upon his proposal, because he thought it was one of the most important points that had been brought forward. The whole system of the Bill would inflict immense hardship ; but if there was one thing more than another that the smaller people would resent it was that there were these extreme cases of hardship just on the line,

and he undertook to say that many men who had saved small amounts would rather spend the £100 not wisely than pay this iniquitous taxation. His scale would do away with all these anomalies, and he begged to move the Amendment.

Amendment proposed, in page 13, line 22, to leave out from the word "scale" to the end of line 37, in order to insert—

Where the Value of the Estate				Per Centage.
Exceeds— £		£		
" 100 and does not exceed		500		One pound for every full sum of £100, and for any fractional part of £100.
" 500	" "	1,000		One pound for the first £500, and two pounds for every further sum of £100 or fraction of £100.
" 1,000	" "	10,000		Two pounds for the first £1,000, and three pounds for every further full sum of £100 or fractional part of £100.
" 10,000	" "	25,000		Three pounds for the first £10,000, and four pounds for every further full sum of £100 or fractional part of £100.
" 25,000	" "	50,000		Four pounds for the first £25,000, and four pounds ten shillings for every further full sum of £100 or fractional part of £100.
" 50,000	" "	75,000		Four pounds ten shillings for the first £50,000, and five pounds for every further full sum of £100 or fractional part of £100.
" 75,000	" "	100,000		Five pounds for the first £75,000, and five pounds ten shillings for every further full sum of £100 or fractional part of £100.
" 100,000	" "	150,000		Five pounds ten shillings for the first £100,000, and six pounds for every further full sum of £100 or fractional part of £100.
" 150,000	" "	250,000		Six pounds for the first £150,000, and six pounds ten shillings for every further full sum of £100 or fractional part of £100.
" 250,000	" "	500,000		Six pounds ten shillings for the first £250,000, and seven pounds for every further full sum of £100 or fractional part of £100.
" 500,000	" "	1,000,000		Seven pounds for the first £500,000, and seven pounds ten shillings for every further full sum of £100 or fractional part of £100.
" 1,000,000	" "			Seven pounds ten shillings for the first £1,000,000, and eight pounds for every further full sum of £100 or fractional part of £100.

*SIR J. RIGBY : The scale which has been put forward by the Government has been attacked on several occasions and has always been defended. I do not think it falls specially to my duty to defend it again, nor do I think a further defence necessary. We must take a Division if the hon. Member wishes to go to a Division.

MR. GOSCHEN : We have had many curious incidents in the course of these Debates, but a more curious incident than that which we have just witnessed I do not think we have experienced. I will frankly say that the Bill has been a very heavy task for the Chancellor of the Exchequer, and every reasonable allowance, I think, should be made for him ; but that there should be no Minister here when an important financial question like this scale comes on, and when a full and reasonable speech like that of my hon. Friend is made, is almost an outrage. The Solicitor General, the Attorney General, and the Chancellor of the Exchequer have been doing their duty in connection with legal Amendments dealing with exemptions, and for the Government to say when we come to one of the most important parts of the Bill, "Oh, this has been debated once or twice, we had better take a Division upon it," is, I think, a most unparalleled proceeding. Of course, the Government are at an immense disadvantage. None of their supporters get up to assist them in the slightest degree except an hon. Member who sits behind them. It is, therefore, all the more incumbent on the Government to do their full duty in discussing important and reasonable Amendments. This is distinctly a reasonable Amendment. Whether it is the right scheme or the wrong scheme it is surely worthy the attention of the House. I frankly say—I do not know what the Leader of the Opposition will say upon it—that had it been at any other time than on the last evening of our proceedings we ought to report Progress upon the speech of the Attorney General. It is useless for us to sit here if the Law Officer is to get up in reply to a speech made by a gentleman perfectly competent to speak upon the question and say, "We had better take a Division." Why did he not say so on all the other questions? Why is this important Amendment to be singled out for this con-

temptuous treatment? With regard to the substance of this Amendment, does it not strike anybody that there is a great deal of force in the speech of my hon. Friend? It may be that his is not the best scale; but, at all events, he has made out a good *prima facie* case. Everybody must have been struck with his arguments. One of them was that these great jumps in the percentages would create a tendency hostile to the Revenue and in the direction of promoting the low valuation of estates. That may or may not be a good argument. At all events, it is one that ought to be dealt with. If my memory does not betray me, these scales have not been adequately debated; they are parts of the Bill which have not been so fully debated as the other parts. Is it reasonable that at one point the tax should be £2 10s., while on an estate worth £1 more it should be £10? It must strike anyone that this is not a question of rich and poor. If it were a question out of which political capital could be made we would have found the Chancellor of the Exchequer here denouncing the landed interest and the capitalists. But it touches the poor and the middle-class people. We cannot compel the Government to argue, but I must say it is not in accordance with the traditions of the House or with the general treatment which they have shown to us in the course of these Debates, that a speech like that of my hon. Friend should not have been answered.

MR. HENEAGE (Great Grimsby) said, two things were clear—the hon. Member for Islington had made out a very good case for discussion and the Attorney General had not even attempted to reply. Considering the extraordinary character of the graduation scheme proposed by the Government he was not altogether surprised that the Attorney General was ashamed to defend it. It was not graduation at all. Used in its ordinary sense graduation was the beginning with a minimum and going up gradually to a maximum, but this clause did nothing of the sort. Whether the scheme of the hon. Member for Islington was the best one or not that could be devised to meet the anomalies he had pointed out, it was patent that the scheme proposed by the Government was not satisfactory. He intended to vote with

the hon. Member against such a spurious graduation, because it was in no sense fair or equitable.

MR. GIBSON BOWLES said, the Attorney General had told them that this graduation clause had been defended before. That was true, but it had not been defended with any kind of success. It had been defended not by arguments, but by majorities. The Attorney General had simply stood up and rated them as though he was an angry nurse. The so-called graduated scheme proposed in the Bill had every defect which a graduated scale could have. He had pointed out when the question was brought forward in Committee that the Victorian colonies in 1870 made the same mistake the Chancellor of the Exchequer was now committing, by putting the whole range of property into a few categories for taxation. When it was found that the result of this was to reduce the Revenue and to lead to subterfuge in order to keep estates below a certain mark, the Victorian Parliament increased the number of categories of property first from five to 10, and then, in 1892, to 37. He had often told the Chancellor of the Exchequer that he would have to introduce an amending Act to this farrago which was called the Finance Bill, and one of the points it would be necessary to amend would be the extraordinary length of the jumps made from one category to another. In the right hon. Gentleman's scale no principle of graduation was followed; it was simply the outcome of a nonsensical rule of thumb. The scheme of his hon. Friend, on the other hand, was a rational, consistent, and scientific one, and if he went to a Division he should support him.

MR. A. J. BALFOUR: The extraordinary performance, or want of performance, on the part of the Attorney General has been already commented upon by the late Chancellor of the Exchequer, but I do not think the House realises the full character of the proceeding to which we have just been subjected. It is perfectly well known that an amicable arrangement has been come to by which the Debate on the Report stage shall finish to-night, for the convenience of both sides. Taking advantage of that arrangement, the Attorney General has done what he never would

have had the audacity to do otherwise. The hon. and learned Gentleman knows that with that arrangement in view the ordinary expedients by which an Opposition can obtain decent courtesy and treatment from those who are responsible for the management of the Debate cannot be resorted to. The Opposition being deprived of those means the Attorney General abuses the situation, and simply tells the House that this matter has been discussed before, and that it is not worth arguing again. We have no means of compelling the Attorney General to talk sense; but, at all events, we might get out of him something in the nature of a reply to a serious argument, and I think it is intolerable that the hon. and learned Gentleman should think it proper and befitting his position and the position of the House to get up in this cavalier manner and give the go-by to the perfectly reasonable and unanswerable arguments of my hon. Friend the Member for Islington. It cannot be that the Attorney General has been animated by a desire to save time in the course he has adopted, for earlier in the day the Chancellor of the Exchequer treated us to a long and interesting disquisition upon his own reminiscences in connection with Lord North's manuscripts. One must feel, therefore, that whatever motive may animate the Government in their present policy of silence, it is not due to a desire to save time in this stage of our proceedings. In the Committee stage on the Bill the Government did not argue on this question; they simply voted. Let us now have some little variety; let us have argument on the present occasion instead of voting. In the meanwhile, I must repeat the protest I got up principally to make, that this mode of treating arguments addressed to the Government from this side of the House when we are defenceless on account of our own agreement is not, under the circumstances, worthy of the Government nor of the hon. and learned Gentleman.

SIR J. LUBBOCK said, that of course they could not expect the Chancellor of the Exchequer to be always in his place; but certainly some Member of the Government ought, in ordinary courtesy, to reply to the reasonable arguments that had been put forward on this important

matter by the hon. Member for Islington. Why did not his hon. Friend the Secretary of the Treasury, who was present, defend the scheme? It was true that the question came up in Committee, but it was very briefly discussed, and the remarks then made by the Chancellor of the Exchequer showed that he had not grasped the full effect of the scale laid down in the Bill. That scale was not a reasonable one, and it would prove to be a great discouragement to thrift. He hoped the Chancellor of the Exchequer would give the House some reply.

Mr. BOUSFIELD (Hackney, N.) observed that it was difficult to understand why the Government insisted on their scale in face of the arguments which had been used to show its impracticability. If this scheme of graduation was wrongly conceived there could not be the slightest doubt that it would not merely operate as a check upon thrift, but that it would lead to evasion in all directions because, however it might be with people of large properties who would not be able to tell within £10,000 or £50,000 what the amount of their property would be, it would be the case with people with small earnings who had saved £10,000 that they would be able to reckon up to within £160 or so the value of their property and they would be so able to arrange matters by making gifts during their lives that there would be a great loss to the Revenue. Although it was the larger estates which brought in large sums to the Treasury, it was the multitude of estates which brought in the multitude of payments on which the Chancellor of the Exchequer must rely. This scale of the Government was a great temptation to immorality. They had already one or two schemes of graduation in vogue, and he appealed to anybody who had had a small income whether it must not put the greatest strain upon a man's conscience when there was a certain point which made all the difference whether he was to pay or not. The truth was, that in all these cases of graduation it was easy to make a continuous instead of a discontinuous graduation, and then they would remove every temptation to fraud and evasion. This was a matter of business; he had always understood the House of Commons was an Assembly of business men who could

come to a really practical conclusion, but when these practical arguments were put before the Government all they had to say was "Oh, let us divide and solve the matter by walking through the Division Lobby." He appealed to the Government whether really upon this pure matter of business that was a business-like way of dealing with it? Why was it necessary on such a question as this for the Government to insist on the Division being on strict Party lines? If they had left the House of Commons as business men to say what they considered it best to do, he felt sure that nine out of ten business men would condemn the graduation scheme of the Chancellor of the Exchequer and approve of that of his hon. Friend. The Opposition made their protest not from interested motives, and not certainly with any desire to waste time, but solely from the conviction they had that this scale of the Government proceeded upon a wrong principle, would lead to fraud and evasion and loss of Revenue, and he failed to understand why this business matter was not treated by the Government in a business spirit.

SIR W. HARCOURT disclaimed any want of courtesy on the part of the Government towards hon. Members opposite, but he would remind them of the legal maxim, *Interest rei publicæ ut finem sit disputationibus*. It was to the public advantage that there should be some end to disputations. Did anybody seriously believe that at this eleventh hour the whole scheme of the Government upon this graduation was now to be changed? They had discussed this matter before at great length, and the Government had stated their reason for adhering to the scale they had chosen. To adopt the scale proposed by the hon. Member would require that the Government should alter the whole of their graduation. ["No, no!"] Oh, yes. He was speaking of that which he knew. He had had calculations made of what would be the result of adopting this graduation of the hon. Member, and the loss from it compared with the graduation in the Bill would be £648,000; therefore, he had no hesitation in saying that if they adopted it they must raise the maximum of the graduation far above 8 per cent.—probably it would amount to something

Sir J. Lubbock

like 15 per cent.—to realise the revenue which they intended to raise by this Bill. Was it feasible or reasonable to suppose that at this last stage of the Bill they should make such a change as would necessitate the reconstructing of the Bill altogether, and practically revolutionise the whole scheme of the Bill? Under these circumstances, he could not think it necessary to repeat the whole discussion over again which they had had on the Committee stage. The scheme of the Government had been before the country for three months; they had, he supposed, heard all the objections that could be raised against it. They had been answered by the Government as well as they could be answered, and a Division taken on the question. [Mr. BARTLEY: Not on this scale.] At all events, in the Division that was taken the Government stood by their own scale, and the scale of the hon. Member was on similar lines to his present one. He hoped, in these circumstances, that the House would now come to a decision on the subject.

COLONEL KENYON-SLANEY (Shropshire, Newport) could not help thinking that had the Chancellor of the Exchequer been in the House when the hon. Member who moved the Amendment was speaking he would hardly have left his argument so completely unanswered as it was. In Committee the Chancellor of the Exchequer even then expressed the opinion that the large steps which he seemed to think inevitable had in them a certain measure of hardship and injustice. If there was injustice and hardship in the scale laid down, surely it was not unreasonable that the Government should try and accept an Amendment which would take some of that sting of injustice out. It was perfectly impossible that this proposal of the Government could be upheld in face of the counter proposal made from the Opposition side of the House without breaking through every principle of fair play and common sense in this matter. The Government might say they would get £643,000 more by their scheme than by that proposed by the hon. Member. What of that if they got it by a gross act of injustice and inequality? When the country had the two schemes before them they would recognise in the scheme proposed by the hon. Member for Isling-

ton the principles of fair play and of a real and genuine graduation, whilst the scheme of the Government was one which inflicted injustice upon the poor, the middle-class, and the rich alike.

Question put.

The House divided:—Ayes 143; Noes 81.—(Division List, No. 184.)

On Motion of Mr. R. T. REID, the following Amendments were agreed to:—

Page 14, line 1, leave out "further," and insert "settlement."

Page 14, line 4, leave out "further," and insert "settlement."

*SIR M. HICKS-BEACH moved, in page 14, line 11, after the second "property," insert "to which he has become entitled in possession." The Amendment was intended to carry out the object he had in view in moving a new clause relating to cumulative duties in the case of Succession Duty and Legacy Duty. After the decision of the House on that clause with regard to the Legacy Duty he would not refer to that duty. But in replying to the clause the Solicitor General stated very frankly that he believed the law with regard to the Succession Duty prevented cumulative duties; and that at any rate it was the intention of the Government to leave unaltered the law on the subject. He was advised by those who were quite competent to express an opinion that the clause in its present form did not carry out that intention. The 14th section of the Succession Duty Act prevented cumulative duties with regard to personal property, and with regard to realty, cumulative duties were prevented by the facts of the case. Succession Duty being leviable on the life interest, it could not be payable before that life interest began to accrue. Therefore, an interest in expectancy that did not come into possession could not become liable to Succession Duty, as was the case with regard to Legacy Duty. The Government proposed, with regard to property the successor was competent to dispose of to alter the law so as to make the duty chargeable on the principal value instead of on the life interest. He was advised that the effect of that would be, in a case where the successor was com-

petent to dispose of the property, to render it probable, or at any rate possible, that the successor might have to pay duty upon an interest which did not come into possession. He did not think, as the clause at present stood, that this point was sufficiently guarded. The words were these:—

“And the duty shall be payable by the same instalments as are authorised by this Act for Estate Duty on real property with interest at the rate of three per cent. per annum from the expiration of twelve months after the date on which he became entitled in possession of his succession.”

That might be held simply to mean that the interest was to be calculated from that date. It did not seem to override the earlier words—namely,

“The value for the purpose of Succession Duty of a succession to real property arising on the death of a deceased person shall, where the successor is competent to dispose of the property, be the principal value of the property after deducting the Estate Duty payable in respect thereof on the said death and the expenses, if any, properly incurred of raising and paying the same, and the duty shall be a charge thereon.”

Those words appeared to charge the duty, and the latter words appeared merely to refer to the date on which the instalments were to be paid, and on which the interest would begin to accrue. The Amendment would make it clear that no duty could be payable until the successor became entitled, in possession, to the property. He was advised that the Amendment would keep the law exactly as it was at present. The hon. and learned Gentleman the Member for the Isle of Wight had given notice of an Amendment to the same effect which might or might not be better than his. If the Solicitor General preferred it he should be willing to withdraw his Amendment in its favour.

Amendment proposed, in page 14, line 11, after the second word “property,” to insert the words “to which he has become entitled in possession.”—(*Sir M. Hicks-Beach.*)

Question proposed, “That those words be there inserted.”

Mr. R. T. REID said, the objects of the right hon. Baronet and of the Government were precisely identical. They were to provide that Succession Duty should be payable only under the circumstances under which it was payable now.

Sir M. Hicks-Beach

He had an Amendment on the Paper lower down which he thought would meet the point raised by the right hon. Baronet. He proposed to insert words providing that “the first instalment shall be payable and the interest shall begin to run” at “the expiration of twelve months after the date on which he became entitled in possession to his succession.”

*MR. BUTCHER said, he was glad to find that the Opposition were in complete accord with the Government as to their intentions. Their intentions were both good; but the question was, whether the words to be proposed by the Solicitor General would carry out those intentions? Many persons were of opinion that they would not, for the reason that the Amendment appeared only to refer to the date at which the first instalment would be payable. If there was an interest in expectancy—that was to say, if a man was entitled to property in the event of his surviving somebody else, if he did not survive no duty ought to be payable. Under his right hon. Friend's Amendment no duty would be payable until the man came into possession. That went to the question of principle, but the hon. and learned Gentleman's Amendment only had reference to the date when the duty would become payable. It might be that in the interval one or two other duties would have fallen due, and in that case, no doubt, the whole of the duty would be postponed till after the succession had come into possession, but there might be several duties then payable. The first instalment of several duties would have to be paid after the property had fallen into possession. If the property passed from A to B, inasmuch as there might be several interests in expectancy, when the unfortunate B came into his inheritance he would find that there were several Death Duties to be paid. They recognised that the intentions of the Government were excellent, but they did not think it would do harm to insert the Amendment proposed. If the Solicitor General did not think it would do harm let him accept it.

MR. BYRNE said, that he also would make an appeal to the hon. and learned Gentleman the Solicitor General. The hon. and learned Gentleman, if he understood him aright, did not object to the words of the Amendment on the ground

that they were improper. On the contrary, he agreed that they would effect what everyone desired, and what his own Amendment would bring about. He (Mr. Byrne) did not think the Amendment before the House, if accepted, would prejudicially affect the Solicitor General's proposal later on.

MR. GIBSON BOWLES said, he shared the doubt as to whether the Amendment of the Solicitor General guarded the danger attempted to be dealt with by the right hon. Baronet. The question divided itself into two parts, one of which would be met by the Solicitor General's proposal, and the other of which would not. One part of the clause touched the value of the property, whilst the other settled the time when the duty would become payable. His doubt arose on the matter of property. In Clause 22 they found the following:—

"The expression 'property' includes real property and personal property and the proceeds of sale thereof respectively and any money or investment for the time being representing the proceeds of sale."

These words were in part taken from the Succession Duty Act, but they had been altered to suit the necessities of the present case.

MR. R. T. REID: We do not interfere with succession.

MR. GIBSON BOWLES said, they must remember that they were dealing with Succession Duty alone, and, therefore, it would have been almost better to have to deal with the subject by reference to the Succession Duty Act. The Government had established here a new system of valuation in respect of property to which the successor had become entitled in possession. The words "the value is the principal value of the property" clearly referred to the property to which the successor had come into possession. As regarded the period at which the duty would become payable, and at which the interest was to run, the clause was clear. He was satisfied as to that, but the doubt he felt was as to the definition of "property."

MR. GRANT LAWSON was surprised that during the discussion the most alarming words of the clause—"and the duty shall be charged on the property"—had not been alluded to at all. His right hon. Friend wanted to limit the

amount of duty, and the Solicitor General wanted to limit the time at which the duty was to be payable by the person coming into the property. The charge on the property continued, and it was impossible to conceive that there could be a charge which was not payable by somebody; yet, according to the Solicitor General, if no one came into possession, there was no person charged, although there was a duty chargeable.

*SIR M. HICKS-BEACH said, he confessed he liked his words better than those of the hon. and learned Gentleman the Solicitor General. The hon. and learned Gentleman, however, preferred his own Amendment; therefore, on a matter of drafting, he (Sir M. Hicks-Beach) would have to give way.

Amendment, by leave, withdrawn.

On Motion of MR. R. T. REID, the following Amendments were agreed to:—

Page 14, line 14, leave out "thereon," and insert "on the property."

Line 17, leave out "from," and insert "and the first instalment shall be payable and the interest shall begin to run at."

Line 18, leave out "he," and insert "the successor."

Line 19, after the second "and," insert "after the expiration of the said twelve months."

Line 24, after "duty," add—

"and in the case of any agricultural property where no part of the principal value is due to the expectation of an increased income from such property, the annual value for the purpose of Succession Duty shall be arrived at in the same manner as under the provisions of this part of this Act for the purpose of Estate Duty."

Amendment moved, in page 14, line 29, after the words "Estate Duty," to insert the words "derived from personal property."—(MR. R. T. REID.)

Question proposed, "That those words be there inserted."

SIR R. TEMPLE (Surrey, Kingston) said, that as he had an Amendment on the Paper to the same effect as that of the Solicitor General, and as the hon. and learned Gentleman had offered no explanation of his proposal, he (Sir R. Temple) hoped he might be allowed to

say a few words by way of explanation. By the Act of 1888 it was the intention of the late Government to make a concession to the landed interest, or rather to the interest of real property, which was very unequally burdened with local rates throughout the Kingdom. The comparative injustice of the incidence of these burdens were complained of at the time, and it was for the purpose of giving relief that the particular concession was arranged by the late Government. The concession was that a certain sum of several millions sterling were to be paid annually out of the moneys received from the then Estate Duty levied upon personal property. Personal property did not contribute to local rates; therefore, out of the Probate Duty it was to give a contribution in aid of these rates. This contribution was supposed to be tantamount to a relief of 6d. in the £1. This was a substantial advantage conceded to real property by the late Government, and that advantage was contributed from personal property. Now, by this Bill it was proposed that the advantage should be given to local rates from the new Estate Duty in substitution for the relief given from the duty paid by personal property. The money obtained from the Estate Duty would be obtained largely, no doubt, from personal property, but partly, also, from real property; therefore, the concession to be made to real property was made out of the fund to which real property contributed. It was to remedy that that he had placed his Amendment on the Paper. With that Amendment, or with the one now moved by the Solicitor General, the matter would be put right. It might be urged that the local rates were to receive the same sum as before, and that the new Estate Duty levied from personalty would be sufficient to meet the demand. That no doubt was true, but it was well that the fact should be stated pretty clearly on the face of the Bill for the satisfaction of real property that felt keenly the unequal burdens imposed on it in respect of local rates.

Question put, and agreed to.

On Motion of Mr. R. T. REID, the following Amendment was agreed to:—Page 14, line 33, leave out “chargeable with Estate Duty,” and insert “in

Sir R. Temple

respect of which Estate Duty is leviable.”—(*Mr. R. T. Reid.*)

MR. GIBSON BOWLES said, he wished to substitute for the phrase “British possession” the words “any place out of the United Kingdom.” He could not but think that an insufficient amount of attention had been given to the fact that it was proposed to impose this duty on foreign countries in a different way to the way in which it was proposed to apply it in the Colonies. It was proposed to allow a deduction in the case of the Colonies, while in the case of foreign countries no deduction would be given. This, of course, was setting up a differential treatment. At the Conference sitting at Ottawa, a resolution had been passed pointing out that in consequence of the Favoured Nation Clauses with other countries, Her Majesty's Government were precluded from adopting preferential treatment with the Colonies as to commerce. The matter was one which the Government must deal with. They had to decide whether they had power to extend to the Colonies a differential duty under the Finance Bill as compared with that they accorded to foreign countries. He had read the Favoured Nation Clauses in our Treaties with foreign countries, and they seemed to him to prohibit Her Majesty's Government from meting out to foreign countries a worse treatment than they allowed their own Colonies. The point of it was that the Colonies were of that opinion themselves. And a further point was that when he had asked the Chancellor of the Exchequer if the Colonies were right in their opinion the right hon. Gentleman had not given him an answer, but had said the subject was an important one, as to which he could not make a statement across the Table of the House. The Treaty with France, dated the 28th February, 1882, declared that Frenchmen should be put on exactly the same footing as was given to the people of any third nation—

“In all matters relating to the exercise of commerce and industry and in respect to residence whether temporary or permanent, the exercise of any calling or profession, the payment of taxes or other impositions.”

Then, again, the German Treaty prescribed that the subjects of Her Britannic Majesty should not be subjected to any

higher or other tax than the subjects of the third nation most favoured in that respect—words somewhat wider even than those contained in the French Treaty. He submitted that before attempting to impose upon investments in France or Germany differential or less favoured treatment than was accorded to investments in the Colonies, it was their duty to ascertain whether those countries took the same view as the Chancellor of the Exchequer professed to take, that these Favoured Nation Clauses did not in any way prohibit us from according preferential treatment to our Colonies in respect of the Estate Duty. The Chancellor of the Exchequer had told them that these Favoured Nation Clauses did not apply to the Colonies at all, and that they only applied to countries with whom we could make Treaties, and that that was not our position in regard to our Colonies. But did France, and Germany, and Belgium take the same view? If they did not, what sort of a situation would the right hon. Gentleman find himself in when the Act was put in operation? It would be found that there was a great disadvantage awaiting the investment of English capital in France, Germany, and Belgium as compared with investments in the English Colonies. Such investments would be subjected to more onerous treatment than in the Colonies, and, for instance, there would be undoubtedly a damaging effect on French as compared with Colonial investments. Was it likely that France, who had gone out of her way to find a quarrel with us as to a strip of land in the Congo, would allow an occasion like this to slip without protest? Was it not likely that Germany would join with France in the protest? Why, there was a stronger case here for international remonstrance than in the case of the Congo Treaty. He believed there was a very serious danger in this attempt to discriminate between the Colonies and other countries, especially when the return would be very small. Now he came to the Colonies themselves. This clause as it stood represented the concession made by the Chancellor of the Exchequer to the appeal of the Colonies of the 12th June. He did not think it was at all a satisfactory answer to the representations made to the right hon. Gentleman, and he believed that a letter

of the 13th June from the leading official representative of the Colonists—which had been promised but which had not yet been laid on the Table—gave expression to the dissatisfaction felt. He had, in fact, been informed by the leader of the official colonial representatives that the Colonies were by no means satisfied with the concession of the Chancellor of the Exchequer. He would like to know what would be the result if they passed the clause in its present shape and form? They would dissatisfy the Colonies as well as possibly several foreign countries, and all for the sake of a very small return. It was to prevent such troubles that he ventured to move the Amendment standing in his name.

Amendment proposed, in page 14, line 42, to leave out the words “British possession,” in order to insert the words “place out of the United Kingdom.”—*(Mr. Gibson Bowles.)*

Question proposed, “That the words ‘British possession’ stand part of the Bill.”

MR. R. T. REID said, this was not the first time the hon. Member had spoken on this Amendment, because he brought the matter forward in Committee and expressed the same views on that occasion. Everyone must feel that the topic was a delicate one, and he did not think that the desire for further discussion of this subject largely prevailed among hon. Members. It was to be regretted that the hon. Member should have thought it necessary to contrast the Colonies with foreign countries in this matter, especially as the opinion of successive Law Officers had been given with regard to it. No good purpose could be served by making such a comparison. He appealed to the hon. Member that it would be more wise and sensible to allow this question to stand as it had been settled by the proposals of the Chancellor of the Exchequer. He did not think that the best way of avoiding quarrels was to raise these questions, and he hoped, therefore, the hon. Member would not further pursue a subject in regard to which he could not expect the Government to accept his Amendment.

MR. BYRNE said, he supposed they might take it to be the opinion of the

Law Officers of the Crown that nothing in the Act infringed or entrenched upon the provisions of the Most Favoured Nation Clauses in the Treaties referred to, and, that being so, he would advise his hon. Friend that they were bound to accept that opinion, and that it was not desirable to further press the Amendment.

Question put, and agreed to.

On Motion of Mr. R. T. REID, the following Amendments were agreed to:—

Page 15, line 10, leave out "chargeable," and insert "leviable."

Page 15, line 13, leave out "chargeable," and insert "leviable."

MR. BRODRICK said, he had the advantage of introducing in Committee the Amendment he now proposed, and which was bound up with another Amendment of his lower down on the Paper. He did not, however, propose to argue the question on the present Amendment. No doubt the Solicitor General was aware that there was a strong feeling on the Opposition side of the House that the pledge given to the right hon. Gentlemen the Member for East Manchester and St. George's, Hanover Square, that there should be equality of treatment for realty and personalty, was not fulfilled or given effect to in this clause. There was absolutely no reason why this restriction as to personal property should have been inserted. What was in the mind of the hon. and learned Gentleman in putting it in did not meet the necessities of the case. His idea, no doubt, was that where probate had been paid upon property under a settlement that property should be exempted from Estate Duty, but it evidently had not occurred to him that property which had paid Succession Duty and not Probate Duty would be subjected to a much heavier charge. When he came to his later Amendment he would be prepared to show that the difference in the exemption given to personalty at the expense of realty in some cases amounted to 50 per cent., 75 per cent., and even to 90 per cent. He wished to place personal and real property on the same level. When he raised the point on the last

occasion the Solicitor General professed that he had been taken by surprise by the figures then put before him, and instead of dealing with those figures, he addressed himself more to the draftsman-ship of the clause and not to the equities of the position. However, this was a matter he would discuss on the later Amendment, and at present he would content himself with moving the omission of the word "personal," his object being to place personalty and realty on an equality and to secure that realty was not subjected to a charge for which personalty was exempted.

Amendment proposed, in page 15, line 21, to leave out the word "personal."—*(Mr. Brodrick.)*

Question proposed, "That the word 'personal' stand part of the Bill."

MR. R. T. REID said, he was not quite certain which was the more convenient course to take. The Amendment just proposed would have to be read with one to be proposed later on. Of course, they did not want to discuss the matter twice over. He was unable to accept this Amendment, and was prepared, if necessary, now to adduce his arguments against it, but as the same point would crop up again he did not wish to repeat himself. This was a clause which could not possibly apply to real property; it dealt with estates which before the commencement of the Act had paid Probate Duty, and that was not applicable to realty at all. He was afraid that if the House negatived this Amendment it would make it very embarrassing for the hon. Member to propose the subsequent one.

MR. BRODRICK: If the hon. and learned Gentleman wishes, I will withdraw this Amendment and take the discussion on the other one. Of course, if I carry that, and a change of words is thereby rendered necessary, I shall not be met with any difficulty as to drafting.

MR. R. T. REID: I hope I have never raised such a difficulty. I only want to know how best we can raise this point. If the hon. Member likes to withdraw this and take the Debate on the later Amendment, words can, if necessary, be brought up at a later stage should the adoption of that Amendment render such a course necessary.

Mr. Byrne

MR. BRODRICK said, it would perhaps be the more convenient course to discuss the whole subject on that Amendment, and therefore, with the permission of the House, he would put forward the arguments he had intended to reserve for the later Amendment. It was absolutely necessary that the House should consider the position of realty under this Bill, and compare it with the position of personalty. Accepting the whole principle of the Bill, he found that real property would pay a very much larger sum than personalty. The clause dealt with property which was settled before this Bill became law, and of which the testator had at no time any power to dispose. What would be the position of the settlement? There were generally three lives concerned in these settlements. Suppose a case where the first life had fallen before the passing of the Bill, and where £50,000 of realty and £50,000 of personalty were left to two brothers—one taking the personalty and the other the realty. On the fall of the first life the personalty would pay Probate Duty, £1,500, and the Goschen Estate Duty of 1888 (if he might be allowed to use the term), £500, and it would then be clear. That was the position of the fortunate possessor of personalty under the Bill. The realty on the fall of the first life would pay Succession Duty £387, and Estate Duty of 1888 £258—a total of £645. But instead of being clear, on the fall of the next life it would pay £2,250 Estate Duty. That made a total of £2,895 paid by land as against £2,000 paid by personalty of equal value. This was in the case of lineals. In the case of collaterals, where, for instance, the property went to a nephew, personalty paid, before this Bill, Probate Duty £1,500, Estate Duty of 1888 £500, Legacy Duty £1,500—total, £3,500. Then the property was clear for the remainder of the settlement. On the fall of the next life, in fact, it paid nothing. In the case of realty, however, land would pay, before the passing of the Bill, Succession Duty £1,161, Estate Duty of 1888 £258—total, £1,419. But at the fall of the next life, after the passing of the Bill, the land would pay Estate Duty £2,250, Succession Duty, at 3 per cent., £1,500—total, £3,750. Therefore the £50,000 personalty would pay only £3,500, while the £50,000 realty paid £5,169. He con-

fidently asserted that that was a position never contemplated by those who framed the Bill. He was quite certain from the way that the Amendment was received in Committee that the Solicitor General did not have a vestige of an idea of the injustice he was perpetrating. He felt, too, he must have the Chancellor of the Exchequer on his side in this matter, because the right hon. Gentleman had told them time after time that what he desired was perfect equality. There was only one possible outlet for him, and that he would at once make a present to the Leader of the House. He might tell them that the larger sum paid in the case of personal property at the earlier stage would have borne some little interest in the interval, but what would that be as compared with the enormously extra charge now being thrown on realty? He hoped the right hon. Gentleman would not indulge in any theories of retrospective justice, and say that land had got off very well in the past. He, for one, could not admit that thus the sins of the fathers should be visited on the children. They must take what had been paid under the settlement as absolutely a fair basis. This was by no means a small question, for the clause would cover, in all probability, one-third, if not one-half, of the settlements made before the passing of the Act. The question of aggregation was not involved as this property would stand absolutely alone, and he did ask the right hon. Gentleman to bear in mind that the figures he had given showed that land was going to pay very nearly three times as much as formerly.

SIR W. HARCOURT: No, no.

MR. BRODRICK said, the point was not even arguable, for he had shown by the figures he had quoted that in the case of a lineal the payment on realty on the fall of the first life would be £645, and under the Estate Duty £2,250, on the fall of the next life, or a total of £2,895 paid by land, while personalty would escape with one payment of £2,000. Then, again, in the case of a collateral, the old duty was £1,419, and there would, under the Bill, be payable £3,750, giving a total of £5,169 charged on realty as against only £3,500 on personalty. If they were to have a class of hard cases arising in this way, it was certain that the injustices must be corrected by a

future Bill. These hardships would take their place with the inequalities, which they had endeavoured to remedy in the case of the husband and wife, and between the £500 and the £505 graduation, and the case of a man who was a collateral, and who, having property in France would pay 8 per cent. in one case, and 8 per cent. in the other—16 per cent. in all. He put it to the Chancellor of the Exchequer that these were injustices that ought to be remedied.

MR. R. T. REID said that this matter was brought forward in Committee. He had not had time to study the hon. Gentleman's figures, but he might point out that the clause now under discussion applied wholly to the case of persons dying before the commencement of this Act, and its provisions were temporary provisions. The necessity for the clause arose from this consideration—namely, that in cases in which Estate Duty would afterwards become payable in respect of personalty Probate Duty might have been paid; but in reference to realty no such contingency could arise, because probate could not be paid in respect of real estate. The arrangement had been made that in case the probate had been paid upon personalty, the Estate Duty should be forgiven. Personalty had alone borne the burden of the Probate Duty hitherto. In regard to the strong case put by the hon. Member, he admitted that, if it was assumed that all the sums mentioned were paid on the same date and at the same hour, the result would work out that realty would pay an apparently excessive sum as compared with personalty. Yes; but that was exactly the fallacy that underlay the whole of the hon. Gentleman's figures, that they took no notice of the dates on which the different payments were made. Very often it might have happened that 10, 12, or 15 years ago the Probate Duty had been paid, and interest during that time ought to be reckoned in the calculation. That did not apply in the case of the person coming into possession of real estate. He made this concession to the hon. Gentleman: that, if the interval was very short between the payment of Probate and the time when the life fell in on which Estate Duty would have to be paid, the scheme of the Bill would be in favour of personalty and against realty; if, on the other hand, the interval was

comparatively long, it was in favour of realty and against personalty. But taking it roughly, the thing worked out equally and he thought the plan would be found to be fair as between realty and personalty. Under this Amendment long periods were established between the payment of probate and the first will and the time when the first life fell under the settlement. There were cases where realty would pay more than personalty, and other cases where personalty would pay more than realty. What they had to do was to take the average. It seemed to him that upon the whole realty fared very well. There could not be absolute precision in these affairs, but he repeated that on the average it would be found that realty came out distinctly well as compared with personalty.

MR. WYNDHAM said, he admitted that the hon. and learned Solicitor General had given them a very good reply to the case which had been stated; but the *prima facie* fact remained that there was a great difference between the incidence of the impost upon personal property and upon real estates under settlement. He noticed that the hon. and learned Gentleman confined his argument to the case of lineals instead of dealing with collateral successions. The hon. and learned Gentleman had admitted that, in certain cases, injustice would be done under this clause, and he failed to understand why such injustice should be done. In the very case that the hon. and learned Gentleman himself had put, whereas personalty would only have to pay £3,500, real estate would have to pay £5,159, or a disparity of taxation amounting to nearly two years' income of the estate. The hon. and learned Gentleman had defended the clause on the ground that its effect would be merely temporary, and he had pointed out that it dealt only with cases where a first life in settlement had come to an end before this Bill became law. But why should there be this temporary injustice? Would the fact that the clause was temporary be any consolation to the man who suffered present injustice? Then the hon. and learned Gentleman said that in the second place this clause dealt with Probate Duty upon personal property, and that the Probate Duty had not been paid upon realty in the past, and that real property would have to

Mr. Brodrick

pay more in the future in order to make up for its exemption in the past. It was no doubt the case that realty had not paid Probate Duty in the past; but if this forgiveness of the Estate Duty in consideration of Probate Duty already paid created an injustice as between personalty and real property, they said that the fact that in the past real property had not paid Probate Duty would not console those persons who were suffering injustice at the hands of the Government now. In the third portion of his argument the hon. and learned Gentleman pointed out that his hon. Friend had apparently taken no notice of the fact that this Probate Duty was paid a long time ago, and that interest might be assumed to have accrued to the Treasury during all these years, and that it was only fair now to place a greater burden upon realty in order to exact from it the payments which it had hitherto avoided.

MR. R. T. REID was understood to say that in the case of personalty released under this clause by reason of payment of the Probate Duty, it might be that the Probate Duty was paid a long time ago.

MR. WYNDHAM (continuing) said, he thought the arguments of the hon. and learned Gentleman rather weakened than strengthened his case. He admitted that this plea could only be put in where the Probate Duty was paid a long time ago. The hon. and learned Gentleman was really inviting them to a repetition of arguments from which he (Mr. Wyndham) would willingly refrain. He pointed to the disparity in the past, and they on their side could rejoin if they wished with arguments to show that that disparity was not without its justification. They had constantly brought forward cases of anomalies and injustice which were invariably met by the cry for symmetry. Only that evening the hon. Member for Islington brought forward a most glaring anomaly, and it was swept aside by the statement that under this Bill a great scheme had been arrived at which would equalise the Death Duties, and that it was impossible to depart from the principle of that magnificent conception. That was all very well, but he could hardly conceive that a responsible Government should perpetuate injustices under the guise of giving symmetry to a Budget Bill. The

Chancellor of the Exchequer had excused himself for refusing to make changes in the Bill at this the eleventh hour, but he might remind the right hon. Gentleman that even the most eminent academicians did not disdain to avail themselves of Varnishing Day in order to correct any small defects that they might have discovered to exist in their pictures.

SIR W. HARCOURT said, he might remind the hon. Member who had just sat down that if to-day was Varnishing Day, it was Private View Day to-morrow. The Government absolutely accepted the principle of equality, and they did not go back upon that principle at all. He would like to point out that the case for payment of the Probate Duty was not at all the same as that for payment of the Probate Duty. Probate Duty being taken out of the estate, they were not comparing like with like. Coming to the question of equality, he must deny that any inequality in the treatment of the two classes of property would occur under the provisions of the Bill in the future. At the same time, they could not have equality in every instance. It really depended upon the period in which the life fell. In one instance there was a considerable difference of time, and there would be an advantage to personalty in some cases, whereas there would be an advantage to realty in other cases. What the Government maintained was that in any two parallel cases the balance would be about equal, and that therefore they did not depart from any principle of equality. No inequality would occur in future under the provisions of the Bill in the treatment of the two classes of property. It was, he maintained, impossible to secure absolute equality in every case. The whole question depended on the period at which the life fell, and he denied that the Government proposals would, as had been argued, always have the effect of operating to the disadvantage of realty as compared with personalty.

Question put, and agreed to.

MR. BOUSFIELD (Hackney, N.) suggested that it would be advisable for the Government to take this opportunity of making a recantation of the meaning they had attached to the words in question. The matter had already been dis-

cussed to some extent in Committee, but he would call attention to the incidence of duty in cases where persons died before and after the commencement of the Act. Suppose A died a few days before the commencement of the Act, leaving a limited interest in his personal property to B, who died after the commencement of the Act. The proviso in the clause was that if A's estate paid Probate Duty upon what was left to B, then B's estate would not have to pay. The question put to the Government was whether in any event two duties could be payable together. Certainly, the clause was quite clear that in the case he had put B would not have to pay Estate Duty. But suppose Probate Duty had not been paid on A's estate, and B was called upon to pay, what about A's estate afterwards? He submitted that it was obvious A's estate would still remain liable to pay the money. The duty cumulative and both estates would be apparently liable. The Government said that was not the case, and that in no event could both A and B be called upon to pay duty. Assuming that construction was right, this curious result would follow. It was said that the object of these provisions was to make executors diligent in paying Probate Duty; but evidently, instead of making A's executors diligent, this would have exactly the opposite effect, and cause them to delay the payment in order to throw it upon B. It almost recalled the incident of the schoolmaster who punished one boy because another had broken his companion's head, for A would be rewarded by exemption from payment of Probate Duty because B's estate would be liable to pay. Surely the clause meant nothing of the kind, and A's estate must in any event remain liable for payment of Probate Duty whether B. had to pay Estate Duty or not. The second sub-section stated distinctly that in the case of a person dying before the commencement of the Act, the duties mentioned in the first schedule should continue payable. Some satisfactory explanation ought to be given by the Government, and if they still insisted on the meaning previously given he would ask the House to divide. As, however, the Solicitor General had a subsequent Amendment in the same clause (Clause 21, page 15, line 25) after

Mr. Bousfield

the words "has been paid," to insert "or is payable" that showed what the intention of the clause was, and that in any event the unpaid duty would have to be paid whether B's estate had paid it or not.

Amendment proposed, in page 15, line 23, to leave out from the word "Act," to the word "unless," in line 25.—(*Mr. Bousfield.*)

Question proposed, "That the words 'in respect of which property' stand part of the Bill,"

MR. REID: was not quite sure that he rightly apprehended the hon. and learned Gentleman's point, but it was clear the clause could only be interpreted by retaining the words proposed to be expunged by this Amendment, because without them the whole meaning of the clause would be cut down from the Government's point of view. A declaration would be substituted that in respect of all property settled before the passing of this Act no duty at all would be payable. That was how the words would read, and there was no question of latent ambiguity or doubt. The Amendment could not be accepted, and he hoped would not be pressed.

Question put, and agreed to.

On Motion of Mr. R. T. REID, the following Amendments were agreed to:—

Page 15, line 25, after "Act," insert—

"or the duty payable on any representation or inventory under any Act in force before The Customs and Inland Revenue Act, 1881."

Line 25, after "paid," insert "or is payable."

MR. BYRNE (Essex, Walstamstow) moved, in page 16, line 1, to leave out "a" and insert "any." This was in one sense a merely clerical alteration, but was required by the Amendment which came afterwards.

Amendment agreed to.

Formal Amendments.

MR. BYRNE moved, in page 16, line 1, leave out "which has taken effect before," and insert "whether made before or after." A rather important question of principle was raised here, and it was desirable that the words should be inserted, making the clause apply to dispositions of property

in the future as well as in the past. It was reasonable and fair that the same principle should be applied in cases of income of property settled by husband or wife. In other parts of the Bill similar views had been carried out. It did not seem right that where money had been settled on marriage the survivor should be called upon to pay upon his or her own property.

Amendment proposed, in page 16, line 1, to leave out the words "which has taken effect before," in order to insert the words "whether made before or after."—*(Mr. Byrne.)*

Question proposed, "That the words 'which has taken effect before' stand part of the Bill."

Mr. R. T. REID said, the question, of course, would be where the property came from. It was not right now to ask the House to enter on a discussion upon cross-remainders. The effect of the Amendment would be to apply not to these cases alone, but to all transactions whatever. It was a pity these questions should be raised over and over again, and it was really not very encouraging to the Government in their efforts to meet the views of hon. Members opposite. This point relating to husband and wife had already been exhaustively discussed in Committee, and he could not change the attitude he had then taken up.

*SIR M. HICKS-BEACH said, that if his hon. Friend went to a Division he should vote with him. He did not see why the sub-section should not be made applicable to the future. No doubt it had given rise to more than one discussion since the first proposal of the right hon. Member for Grimsby that all property passing between husband and wife should be exempted from duty. He entirely exonerated the hon. and learned Member from any charge of failing to keep his promise; but he did not think that an exact representation had been given of what then took place. He had then called attention to the possibility that surviving husbands or wives might have to pay Estate Duty on property which had been their own. That objection was entirely acceded to on the part of the Government, who acknowledged that that was not the intention, and the hon.

and learned Gentleman promised, if it was found to be the effect of the Bill, that he would introduce a sub-section to prevent it. Not only was there this hardship in the case of existing but also as regarded future settlements, and property should not be liable to duty in the event of again coming into the possession of the persons who had formerly possessed it. The Exchequer would not lose by this exemption, because if it were not granted, new settlements might be so made as to secure the same result. The hon. and learned Gentleman had charged the Opposition with obtaining concessions in order to get something more; but if this principle was right, it ought surely to be applied to the future as well as to the past. That was all his hon. and learned Friend desired.

*MR. BUTCHER could not understand why, if this exemption was justly applied to this very useful class of settlements before the Act, it should not equally apply to them after the Act came into operation. The principle had been admitted by the Solicitor General to be just and equitable, and he should support the Amendment. The hon. and learned Gentleman well knew there were reasons familiar to all lawyers why these particular kinds of settlements were useful where the husband gave the first life interest to himself and then to his wife. He had no desire to enter into a discussion on cross-remainders, but it was hardly right for the Solicitor General to meet these objections by saying that a conveyancer would be easily able to evade payment of duty in these cases.

Question put.

The House divided:—Ayes 182; Noes 120.—(Division List, No. 185.)

Mr. BOUSFIELD (Hackney, N.) said he wished to move as a new sub-section to the clause—

(6.) "In the case of any land in respect of which Estate Duty is leviable, where the person accountable for the duty have elected to pay it by yearly instalments, and such land is farmed by the owner himself or person accountable for the duty, there shall be allowed in respect of every instalment of duty an abatement at the rate of 10s. per acre in respect of every acre of such land under cultivation for wheat in the year precluding the date when the instalment became due."

This Amendment was designed to meet the case of the yeoman farmer or owner

farming his own land and to deal with a question of national importance—wheat supply. The object of the Amendment was, as far as possible, to discourage the rapid going-out of cultivation of wheat land. It was admitted on all sides that the new Estate Duty, by denuding the land of capital, would tend to turn wheat land into pasture. That was a fact which could hardly be controverted. The duty would have the effect of displacing a large number of agricultural labourers, a circumstance which was of great importance in relation to our food supply. Already two-thirds of our wheat supply came from abroad. We produced only some 7,000,000 quarters per annum, whilst we imported 30,000,000 quarters. We were every year growing more and more dependent on foreign supplies. In the event of war our Navy must be sufficient not only to protect our shores, but to keep open our lines of communication so as to enable us for a period of two or three years to keep our food supplies coming into the country month by month and week by week. No prudent man would shut his eyes to the fact that one result of a war might be to cut us off from our sources of supply and compel us to rely upon our supplies. Even if our Navy might be sufficient to prevent an enemy landing on our shores, we might find ourselves in the position of a beleaguered fortress, being unable to keep open our lines of communication, and, seeing that we only kept in the country provisions for three months, the outlook was serious. In this Bill they were about to deal a blow upon the man who farmed his own land—a blow which, though it might not prevent him farming, at all events would prevent him from continuing the growth of wheat. The object of the Amendment was to enable him to go on growing wheat. The amount which he would be saved would be small—only 3s. a quarter, but that would be sufficient to induce him to go on wheat growing. More than a third of the land upon which wheat used to be grown had gone out of cultivation during the past 25 years. The danger was a growing one, and would be intensified by the system of taxation we had adopted. He did not propose to elaborate the case more. ["Hear, hear!"] Hon. Members said

Mr. Bousfield

"Hear, hear." He was sorry they should think that an eventuality of this sort which was certainly a possibility was not a thing worth considering in relation to this new mode of taxation. He respected the cheer, however, in one sense, and would bring his remarks to a speedy conclusion. As to cost, the right hon. Gentleman the Chancellor of the Exchequer could have no excuse on that ground. He might, even at the eleventh hour, make the concession. There were over 2,000,000 acres of land in this country under wheat cultivation. About a quarter of that would come under the Bill at a time paying the eight yearly instalments, and if a fifth of that were cultivated by the owners it would make 100,000 acres. A charge of 10s. an acre would come to £50,000, but that would only be the amount charged when the Bill came into full sweep. In the first year it would not be more than one-tenth or £500. The question of cost to the Revenue, therefore, was not a very serious matter, but he ventured to hope that it would be discussed as a question of principle. The right hon. Gentleman the Chancellor of the Exchequer might say that this would be introducing the thin end of the wedge of Protection. It would only be so in the sense that they would be protecting themselves against a national danger. Protection would tend to increase the price of wheat, but this proposal would have an exactly opposite effect. It would be relieving the owners of the land of a part of their burden, and enable them for national purposes to continue a particular system of cultivation.

Amendment proposed, in page 16, line 5, to insert, as a new sub-section, the words—

(6) In the case of any land in respect of which Estate Duty is leviable, where the person accountable for the duty has elected to pay it by yearly instalments, and such land is farmed by the owner himself or person accountable for the duty, there shall be allowed in respect of every instalment of duty an abatement at the rate of 10s. per acre in respect of every acre of such land under cultivation for wheat in the year preceding the date when the instalment became due."—(*Mr. Bousfield.*)

Question proposed "That those words be there inserted."

SIR W. HARCOURT said, this was a most singular proposal, and it would have most singular effects. If such a

scheme was to be adopted it must be, he thought, for the successors of the present Government to propose. He must point out to the hon. and learned Member that he doubted very much whether in the agricultural interest it was advantageous to encourage the cultivation of wheat in this country, as it was considered on the whole to be the least remunerative crop that could at present be grown. It would, however, only be in cases where men died that the growth of wheat would be encouraged, and he hoped that all the owners of wheat-land would not die within a year. It was, therefore, evident that there was a large quantity of land on which wheat-growing would not be encouraged for a long series of years. He could not accept the Amendment.

Question put, and negatived.

Amendment proposed, in page 16, line 19, at end, to insert—

"The expression 'agricultural property' means agricultural land, pasture, and woodland, and also includes such cottages, farm buildings, farm houses, and mansion houses (together with the lands occupied therewith), as are of a character appropriate to the property."—(*Mr. R. T. Reid.*)

Question proposed, "That those words be there inserted."

COLONEL KENYON-SLANEY (Shropshire, Newport) wished to know whether by one of the curious legal fictions to which Members were now getting accustomed "lands" meant "waters"? In view of the increasing interest that was being taken in the cultivation of fish, there was an increasing value in fishponds, and such like waters, which were formerly of very little value. If the Law Officers assured him that for this purpose land was water and water was land he should be very glad to accept the assurance.

MR. R. T. REID: "Lands" mean waters.

Question put, and agreed to.

MR. R. T. REID moved, in page 16, line 21, to leave out the words "or held upon the trusts of." He said he had accepted these words as an Amendment in Committee, thinking they were harmless. He now found that they were unnecessary, and that it would be injurious to insert them.

Amendment proposed, in page 16, line 21, to leave out the words "or held upon the trusts of."—(*Mr. R. T. Reid.*)

Question, "That the words proposed to be left out stand part of the Bill," put, and negatived.

MR. BYRNE moved, in page 17, line 7, to leave out "whether." He said it seemed to him that a tenant-in-tail in possession was a person who might fairly be deemed to be competent to dispose of property, but that a tenant-in-tail not in possession, and who never came into possession, could not be regarded as competent to dispose.

Amendment proposed, in page 17, line 7, to leave out the word "whether."—(*Mr. Byrne.*)

Question, "That the word 'whether' stand part of the Bill," put, and agreed to.

MR. BYRNE next moved, in page 17, line 7, to leave out "or not," and insert "and a person entitled to a base fee continuing after his death." He said he trusted that the Attorney General would give him some answer to this Amendment. When the matter was discussed in Committee he understood the hon. and learned Gentleman to say that the point was covered by one of the sections of the Act, and he (*Mr. Byrne*) had put the Amendment down again in order to get a definite opinion on the point.

Amendment proposed, in page 17, line 7, to leave out the words "or not," and insert the words "and a person entitled to a base fee continuing after his death."—(*Mr. Byrne.*)

Question proposed, "That the words 'or not' stand part of the Bill."

*SIR J. RIGBY said, he certainly had said that it was not necessary to provide here for the case of a lease fee not continuing after the death, and he was of the same opinion now.

Question put, and agreed to.

Other Amendments agreed to.

MR. GRAHAM MURRAY said, he had placed on the Paper an Amendment in page 18, line 16, to leave out from "shall," to end of line 20, and insert—
"mean property, whether heritable or moveable, the title to which is by any disposition

will, deed of entail, settlement, or other deed given to any persons in succession, whether by way of life rent, or life rents and fee, or by way of substitution.

(14) For the purposes of Section five, subsection (b), the expression 'competent to dispose of such property' shall in the case of entailed property be held to apply to such institutes or heirs of entail as can disentail without consents."

He said the object of the Amendment was to secure the equalisation of taxation as between England and Scotland. After considerable debate on the proposal in Committee, the Chancellor of the Exchequer gave an undertaking that the matter would be looked into, and as a result of that undertaking he was glad to find an Amendment standing in the name of the Lord Advocate. He (Mr. Murray) could not help thinking that the method proposed in his own Amendment was, as far as draftsmanship was concerned, the better of the two, but he admitted that for all practical purposes there was no difference in the result that would be secured. He (Mr. Murray) began at the one end, and the Lord Advocate began at the other. Under these circumstances, it would be for the convenience of the House that he (Mr. Murray) should not move the Amendments standing in his name.

*THE LORD ADVOCATE (Mr. J. B. BALFOUR, Clackmannan, &c.) then moved the Amendment standing in his name. He said, it appeared to him better to make a substantive provision on the subject than to deal with it by reference.

Amendment proposed, in page 18, line 20, at end, insert—

"Where an entailed estate passes on the death of the deceased to an institute or heir of entail who is not entitled to disentail such estate without either obtaining the consent of one or more subsequent heirs of entail, or having the consent of such one or more subsequent heirs valued and dispensed with, Settlement Estate Duty as well as Estate Duty shall be paid in respect of such estate, but neither Estate Duty nor Settlement Estate Duty shall be payable again in respect of such estate until such estate is disentailed, or until an heir of entail to whom it passes on or subsequent to the death of the institute or heir first mentioned, and who is entitled to disentail it without obtaining the consent of any subsequent heir or heirs, or having the consent of any subsequent heir or heirs valued and dispensed with, dies."—(*The Lord Advocate.*)

Question, "That those words be there inserted," put, and agreed to.

Mr. Graham Murray

Amendment proposed, in page 18, after line 20, insert—

"Where an institute or heir of entail in possession of an entailed estate who is not entitled to disentail such estate without either obtaining the consent of one or more subsequent heirs of entail, or having the consent of such one or more subsequent heirs valued and dispensed with, has paid Estate Duty in respect of such estate, and afterwards disentails such estate, he shall be entitled to deduct from the value in money of the expectancy or interest in such estate of such one or more subsequent heirs, payable by him to them in respect of their consents having been granted or dispensed with, a proper rateable part of the Estate Duty paid by him as aforesaid."—(*The Lord Advocate.*)

Amendment agreed to.

Amendment proposed, in page 18, line 32, after the word "proper," to insert—

"The Court may in such order specify the time and place at which, the person by whom, and the advertisement or notice after which the sale shall be made, and may ordain the person in whom the property is vested to grant a disposition thereof in favour of the purchaser, and if the person in whom the property is vested refuses or fails to do so, the Court shall grant authority to the clerk of Court to execute such disposition, and such disposition so executed shall be as valid as if it had been executed by the person in whom the property is vested."—(*The Lord Advocate.*)

Amendment agreed to.

Amendment proposed, in page 18, line 42, after the word "vested," to insert—

"and shall be a first charge upon the property after any debt or incumbrance for which an allowance is directed to be made under this Act, in determining the value of the property for the purpose of Estate Duty."—(*The Lord Advocate.*)

Amendment agreed to.

Mr. GRAHAM MURRAY said, the Amendment standing in his name upon the Paper and another Amendment that went after it dealt with two different questions, but both having relation to the same subject. He might say that this plan of applying to the Court for the granting of a charge upon an estate to the person applying, not the proprietor, was certainly unfamiliar to them, and in Committee he ventured to submit that the clause would be found to be not very workable. That remark, he thought, had been justified by the insertion of the Amendment just now by the Lord Advocate. In the clause as it stood not only would the unfortunate proprietor of an estate be bound to have the estate charged, but the result of the words used

would be so stringent that the remedy given against him would be very much in advance of that given in the kindred provision in the case of England. He would not only be liable to be sued as the English proprietor on the covenant in the mortgage, but he would also be liable to be distressed by summary diligence, which, if he might translate it for the benefit of the English lawyers, was equivalent to this: that he would have the same execution distressed against him as if he signed a bill of exchange for the amount; that was to say, that within six days he could be made bankrupt. He therefore hoped that the right hon. Gentleman would accept the Amendment, together with these words, which were not down on the Paper—

"That nothing herein contained shall make the duty recoverable by these Sub-sections (a) and (b) recoverable at any earlier time than if it had been recoverable by direct action against the persons legally liable for the duties."

SIR W. HARCOURT: We agree.

Amendment proposed, in Clause 23, page 18, line 42, at end, add—

"Provided also that summary diligence shall not be competent thereupon."—(*Mr. Graham Murray.*)

Amendment agreed to.

Amendment proposed, in page 20, line 42, at end, add—

"This section shall not affect the continuance after the 30th day of June, 1895, of the duties existing prior to this section taking effect."—(*Mr. R. T. Reid.*)

Amendment agreed to.

MR. BIGWOOD (Middlesex, Brentwood) said, by the Amendment standing in his name his object was to save the smaller brewer, who might be called the cottage brewer, and to ensure if possible a better description of beer finding its way to the agricultural labourer. There was a time when the Liberal Party were very anxious indeed to improve the quality of the poor man's beer and to lessen its cost, and he would ask the Chancellor of the Exchequer whether in this popular and democratic Budget he could not find ways and means to relieve these unfortunate men, who might be regarded as a diminishing quantity. This Amendment was directed only to the case of the exemption of those who brewed over five quarters of malt per week—for

that was what a thousand barrels amounted to—and on that the increased duty amounted to 3d. per bushel, or considerably over 6 per cent. on the cost of the malt, and in the case of the smaller brewers it would amount to almost the wages of one man in the entire year. If the right hon. Gentleman could make this concession it would be very popular. Of course, it was for the Chancellor of the Exchequer to consider whether the Revenue could afford to lose so much money, and the right hon. Gentleman knew better than he did the amount which would be lost; but he (the hon. Member) was of opinion that the loss would be comparatively small compared with the good it would do. He had no wish at that time of the evening to press the matter or to repeat arguments which had been brought forward before, and he should be glad to hear the Chancellor of the Exchequer's reply. He therefore begged leave to move his Amendment.

Amendment proposed, in page 21, line 10, after the word "gravity," to insert the words—

"But this extra Excise Duty of 6d. per gallon shall not be chargeable upon those brewing 1,000 barrels or less per annum, and a graduated and reduced duty shall be chargeable upon all persons brewing less than 5,000 and more than 1,000 barrels per annum."—(*Mr. Bigwood.*)

Question proposed, "That those words be there inserted."

SIR W. HARCOURT said, he feared his feeling for the brewers had been blunted by the frequently repeated assertion of the hon. Member for Wimbledon (Mr. Bonsor) that under no circumstances would the brewers pay this tax at all. The hon. Member had said that over and over again, and therefore he did not see that there was any particular ground for the exemption of brewers who were not going to pay. Some people were said to be more loyalist than the King, and the hon. Member was more of a graduate than Her Majesty's Government. If they were to apply the principle of valuation to brewers, and to graduate the taxation of Excise licences according to the amount a man dealt in, they must apply it to the dealers in every commodity—to publicans, tea dealers, and so forth. But the real truth was that these small brewers had the relief already. The hon. Member

for Wimbledon (Mr. Bonsor) was very much surprised when he quoted the Income Tax Returns of the brewers, but out of 10,000 brewers only 2,000 paid the tax, and therefore the small brewers got the relief they desired in respect of the Income Tax if they did not pay. This was the reason why he could not accept the Amendment.

MR. BIGWOOD said, that after the remarks of the right hon. Gentleman he would not press the Amendment.

Amendment, by leave, withdrawn.

MR. ROUND (Essex, N.E., Harwich) moved the following Amendment, in page 22, line 15, at end, insert—

"In estimating the annual value of any lands for the purpose of Schedule B, according to The Income Tax, 1853, the General Commissioners of Income Tax for England and Wales may, if they think fit, estimate such value at less than the gross estimated rental at which such lands are assessed to the rate for the relief of the poor."

In submitting this Amendment to the House he might say his object was to make it clear that the Commissioners of Income Tax might assess properties at the annual value without necessarily following the poor rate assessment. As he understood it, the law that governed assessments was the Statute of 1842. What he contended was, that sometimes the plan laid down in the Act was not followed, and that an unreasonable mode of assessment was followed, particularly in country districts where the assessment was not uniform. The poor rate assessment was often not reasonable, and the Income Tax assessments very often followed the same basis. A case occurred the other day in the County of Suffolk where an appeal was brought up at the Ipswich Quarter Sessions. In this case the farmer was assessed at double the rent, which seemed to him to be most unreasonable. All he wanted was that the Income Tax Commissioners if they thought fit should assess the property according to their own idea of the value, and should not necessarily take the poor law assessment as their basis.

Amendment proposed, in page 22, line 15, after the word "Act," to insert the words,—

"In estimating the annual value of any lands for the purpose of Schedule B, according to The Income Tax Act, 1853, the General Commissioners of Income Tax for England and Wales may, if they think fit, estimate such value at

less than the gross estimated rental at which such lands are assessed to the rate for the relief of the poor."—(Mr. Round.)

Question proposed, "That those words be there inserted."

SIR W. HARCOURT said, the Amendment was unnecessary because, under the existing law, the Income Tax Commissioners were not bound to take the assessment of the Assessment Commissioners. No doubt, as a rule, they would follow it, and where the assessments were well managed there was no reason why they should not do so. He thought the case referred to by the hon. Member must be a very rare one, but he could assure him that what he desired to accomplish existed already, and that the Commissioners were not bound by the assessments of the Assessment Committee.

MR. BARTLEY said, it was quite true the Commissioners had the power, but it was very rarely that they used it, as they generally fell back upon the poor law assessment, and when a strong case was made out they said "have the other assessment altered, we cannot consider it until you have."

*SIR M. HICKS-BEACH said, he also knew several cases where the Surveyors of Taxes had persuaded the local Commissioners that they had not the power to reduce the assessment of the Income Tax below the assessment of the poor rate. After what the right hon. Gentleman had said as to the state of the law, in which he entirely concurred, he trusted the right hon. Gentleman would direct the Inland Revenue Commissioners to issue such instructions as might set the matter right. This was a real grievance, not only in respect of the Income Tax in such cases as those referred to, but also in the case of the tithe. In those cases—many of which were to be found in Essex—where farms stood at a nominal rent, the Assessment Committees were extremely reluctant to lower the assessment of the poor rate to the actual rent of the farm, because by doing so they increased the rates falling on other occupiers in the parish, and therefore it was extremely important that the Commissioners should exercise their discretion and assess the Income Tax quite irrespective of the poor rate. If they did not, it was quite impossible for the owner of

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the land to avail himself of the provisions of the Tithe Act of 1891; not only would he be overcharged for Income Tax, but he would be unable to obtain that relief from tithe that Parliament intended for him.

SIR W. HARCOURT said, that if instructions were issued he hoped the right hon. Gentleman and his friends would induce the Assessment Commissioners to estimate property at its real value.

Amendment, by leave, withdrawn.

*MR. DARLING (Deptford) was proceeding to move the following Amendment standing in his name—

“Provided that wherever the incomes of any married woman and her husband do not together amount to the sum of £500 a year, the income, profits, or gains of any such married woman shall, for the purposes of this Act, be deemed to be her own separate income, and she shall be chargeable with Income Tax thereon as though she were actually sole and unmarried.”—

MR. SPEAKER pointed out that the Amendment being similar to that of the Chancellor of the Exchequer, it would be better for the hon. Gentleman to raise the discussion on the Amendment of the right hon. Gentleman.

SIR W. HARCOURT said, that if the Amendment of the hon. Member was negatived he should not be able to move his.

MR. DARLING said, he would not like to reduce the right hon. Gentleman to such a pitiable condition.

MR. SPEAKER: In point of Order, the Chancellor of the Exchequer ought to have had precedence.

SIR W. HARCOURT: Unfortunately the hon. Gentleman seems to have moved his upon the wrong clause, upon Clause 33 instead of Clause 34.

MR. DARLING said, this was a discovery that was not made in Committee; but as the Chancellor of Exchequer did not accept his Amendment, he would raise the discussion upon that of the right hon. Gentleman.

SIR W. HARCOURT moved, in page 22, line 42, at end, add—

“Where the total joint income of a husband and wife charged to Income Tax, by way either of assessment or reduction, does not exceed five hundred pounds, and, upon any claim under this section, the Commissioners for the general purposes of the Acts relating to Income Tax are satisfied that such total income includes profits of the wife derived from any profession, employ-

ment, or vocation chargeable under Schedule D, or from any office or employment of profit chargeable under Schedule E, they shall deal with such claim as if it were a claim for exemption, or relief, or abatement, as the case may be, in respect of such profits of the wife, and a separate claim, on the part of the husband, for exemption, or relief, or abatement in respect of the rest of such total income.”

He put down this Amendment in consequence of the discussion that took place in Committee, and to meet the case that was then referred to as worthy of consideration—namely, the case of the schoolmaster and his wife. It was said it was very hard, where a schoolmaster married a schoolmistress, that the two incomes should be added together, and Income Tax charged as though it were one income. In consequence, they had endeavoured to meet that case, and had treated the several incomes below £500 a year as having a separate abatement. This Amendment was different to that of the hon. and learned Member, inasmuch as it did not include incomes from investments. It would be obviously unfair to give a person deriving an income from investments an advantage that was not given to another individual who earned £500 a year.

Question proposed, “That those words be there added.”

MR. DARLING said, that of course, so far as he was concerned, he could not think of opposing the Amendment of the right hon. Gentleman, because it conceded a great part of what he proposed in his Amendment which he brought forward in Committee. However, he could not see how it would be unjust to extend the right of exemption and abatement to women who derived their incomes from investments as well as from earnings, because if she had not married she would obtain the abatement, whether the income were derived from invests or not, and under the Married Women's Property Act they had as full a right of spending their incomes uncontrolled, as though they had not married. It might be gratifying to the hon. Member for West Ham and others to get the matter settled in such a way as to safeguard the rights of schoolmasters, and to leave vested property out in the cold. There were a number of people who were not well off, but who had small incomes, which, taken with that of their husbands did not amount to more than £500 a

year, and these people received no relief whatever from the Chancellor of the Exchequer whose Amendment seemed from the very unscientific words at the beginning of it not to realise the fact that it dealt with two separate incomes of two separate persons. It began with the words "Where the total joint income of a husband and wife." What they were dealing with was not joint income at all, but two separate incomes—the one the income of the husband, and the other the income of the wife, and there was no reason for distinguishing between the case where they were earned by manual or intellectual labour and where they were the result of invested property. Of course it would be foolish to resist this Amendment, which, after all, was a concession to arguments used in Committee. He had done what he could to perfect this measure of the Chancellor of the Exchequer and to make it worthy of the right hon. Gentleman's reputation as a financier. They had hoped the Bill would have been more logical than it would be if this Amendment were accepted instead of the one he (Mr. Darling) had put down, but of course they should do nothing in the world to defeat the Amendment of the Chancellor of the Exchequer.

Mr. GROVE (West Ham, N.) said, that both on behalf of his constituents and many thousands of working people throughout the country he thanked the Chancellor of the Exchequer for his concession. He knew that, under the circumstances of the case, it had been difficult for the right hon. Gentleman to go so far, for the right hon. Gentleman had to guard the interests of the Public Purse at the same time as he gave consideration to the claims of those who appealed to him in a matter of this kind. It might, in fact, be said that the right hon. Gentleman had to adopt a dual personality—to be at once Hyde and Jekyll. He had to be hard, mean, stingy, avaricious and at the same time liberal, generous, open-handed, and just. But the beneficent fairy had touched the right hon. Gentleman on this occasion and led him to propose this Amendment. This was most gratifying, not only because thousands of working men and women would be benefited, but because it showed that the Chancellor of the Exchequer had accepted a principle which

they on the side of the House had long striven for—namely, that taxation should be adjusted differently in the case of earnings, and in the case of income that principle was now once and for all adopted. The Chancellor of the Exchequer would call down on his head the curses of many future Chancellors of the Exchequer, but he would also receive the blessings of many thousands of his toiling fellow subjects. It had been objected to the Amendment that it did not go far enough; but inasmuch as it relieved the claims of the necessitous and yet did not materially encroach on the Revenue, it must be admitted that on the whole a happy mean had been struck. Because the Amendment was of this character, and was thoroughly in harmony with the Liberal and Democratic spirit of the most popular Budget of modern times, he cordially supported it.

Mr. BARTLEY welcomed the step which had been taken by the Chancellor of the Exchequer. This was no doubt the thin end of the wedge towards the recognition of the principle that a difference ought to be made between the taxation of industrial incomes and the taxation of spontaneous incomes. That was a principle for which he had contended many times, and he hoped that before long its application would be carried further.

Mr. CARVELL WILLIAMS (Notts, Mansfield) said, that he was afraid he should be charged with ingratitude by the Chancellor of the Exchequer when he said that he did not regard the concession which had been made with as much complacency as the hon. Member for West Ham. When this question was discussed in Committee the Chancellor of the Exchequer did not attempt to deal with the principle involved, but took the strictly practical objection that the Revenue would suffer to the extent of half a million, or perhaps £700,000 a year. He also urged that it would be unreasonable that the wife of a man having £10,000 a year should not have her income taxed. Then, when it was pressed upon him that relief might be given in the case of small incomes only, he promised to consider the suggestion. The result of his consideration had been that he now proposed the separate assessment of married women's incomes only when they were derived from some oc-

Mr. Darling

cupation or profession. But small incomes were small incomes, whether they were so derived or were derived from investments; and though the Chancellor of the Exchequer's proposal would, no doubt, assist many deserving persons needing such assistance, it would leave a large class of equally deserving persons in their present position as Income Tax-payers. He could not help thinking that it was the Chancellor of the Exchequer's poverty, and not his will, which led him to make so limited a concession, and, if that were so, he (Mr. Williams) hoped that an improvement in the national finances would make it possible to adopt in its completeness the principle now only adopted partially. The law would then be logical, while help would be given to a large and struggling class of the community.

Question put, and agreed to.

On Motion of Sir W. HARCOURT, the following Amendment was agreed to:—Page 23, line 2, leave out from "value," to "the," in line 6, and insert "estimated otherwise than by relation to profits."

On Motion of Mr. R. T. REID, the following Amendments were agreed to:—

Page 23, line 15, after "occupier," insert "or assessable as landlord."

Page 23, line 19, leave out from "occupier," to "undertook," in line 20, and insert "and."

On Motion of Sir W. HARCOURT, the following Amendment was agreed to:—Page 23, line 29, at end add—

"Where the amount of the assessment in the case of lands (inclusive of the farmhouse and other buildings) is more than one-eighth, and in the case of any house or building (except a farmhouse or building included with lands in assessment) is more than one-sixth, below the rent, after deducting from such rent any outgoing which should by law be deducted in making the assessment, this section shall not apply."

MR. BARTLEY moved, in page 23, line 36, leave out "three" and insert "five." He said he did not know whether the Chancellor of the Exchequer would accept the Amendment. As the right hon. Gentleman was aware, under the present rule of the Treasury, in the case of savings banks, small penny banks, and so on, there was a rebate up to the amount of £3. But it must

be borne in mind that this Bill extended the rebate from £120 to £160, and, therefore, made a much larger exemption in many of these institutions. Where they had a number of these accounts the whole amount could be got back if the institutions chose to apply to the Inland Revenue Office in order to get a rebate. The work of the Office, however, would be something tremendous if all these claims were sent in.

Amendment proposed, in page 23, line 36, to leave out "three," and insert "five."—(Mr. Bartley.)

Question proposed, "That the word 'three' stand part of the Bill."

SIR W. HARCOURT: I will accept the Amendment.

Question put, and negatived.

SIR R. TEMPLE had an Amendment on the Paper on Clause 41 to leave out Sub-section (2), which provided that the instalments payable to the Naval Defence account shall cease to be payable after March 31st, 1894, and that the sum by which the aggregate payments made to that fund under Section 2 of the Naval Defence Act, 1889, before March 31st, 1894, exceed the authorised expenditure of £10,000,000, or any less sum which on the completion of the contract vessels has been actually expended on those vessels, shall be paid from that account into the Exchequer. The hon. Baronet observed that as they were now approaching the end of this Debate—[Laughter.] He did not know that there was anything extraordinary in that statement. He only desired to say that he did not intend to press his Amendment. He might, however, explain that the object of the Amendment was to show that the Chancellor of the Exchequer was about to appropriate a sum of £280,000, the surplus of last year's Budget, which did not belong to him, but which properly belonged to the Sinking Fund, and ought to be applied to the reduction of the National Debt. He was quite certain that this was a misappropriation of public money, but at such a late hour he would not press the Amendment.

On the Motion of Mr. R. T. REID, the following Amendments were agreed to:—

F

Schedule 1, page 27, line 21, leave out "on his death."

Schedule 1, page 27, line 21, after "him," insert—

"Under which respectively Estate Duty has been paid, or under any other disposition under which Estate Duty has been paid."

Schedule 2, page 27, line 32, leave out "& 44."

Bill to be read the third time To-morrow.

SAVINGS BANKS (SOCIETIES) BILL.
(No. 233.)

CONSIDERATION.

Order for Consideration, as amended, read.

Motion made, and Question proposed, "That the Order be discharged, and Bill withdrawn."—(*Mr. A. Morley.*)

MR. BARTLEY expressed his regret at hearing that the Bill was not to be persevered with after it had proceeded so far. He and his friends desired to see some Amendment made to the existing law, but this Bill had been so altered that it was necessary it should be considered further. He did not know exactly why the Bill had been withdrawn, but he hoped the Postmaster General did not think that there was any cause on the Opposition side of the House for taking this course.

MR. A. MORLEY said, there were objections raised from gentlemen on the other side of the House which made it quite impossible to carry the Bill through this Session.

Motion agreed to.

Order discharged.

Bill withdrawn.

ELEMENTARY EDUCATION BILL.
(No. 302.)

SECOND READING. [ADJOURNED DEBATE.]

Order read for resuming Adjourned Debate on Second Reading [11th July].

MR. ACLAND hoped the Second Reading of this Bill might be taken. The right hon. Gentleman was understood to explain that on the Local Government Bill of last year he was urged to give the work of the School Attend-

ance Committees to the District Councils and a promise had been given that this should be done. The Bill was to carry out that pledge.

Objection being taken, Debate further adjourned till To-morrow.

LOCAL GOVERNMENT (IRELAND PROVISIONAL ORDER (No. 5) BILL.
(No. 165.)

Lords Amendments agreed to.

LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 16) BILL.—(No. 245.)

Lords Amendment agreed to.

MESSAGE FROM THE LORDS.

That they have agreed to—Amendment to Water Orders Confirmation Bill [*Lords*], Local Government (Ireland) Provisional Order (No. 14) Bill.

NAUTICAL ASSESSORS (SCOTLAND) BILL.—(No. 312.)

Read a second time, and committed for Monday next.

ZANZIBAR INDEMNITY BILL.
(No. 308.)

Read the third time, and passed.

HERITABLE SECURITIES (SCOTLAND) (*re-committed*)—BILL.—(No. 281.)

Considered in Committee, and reported; Bill, as amended, re-committed for Monday next, and to be printed. [Bill 316.]

UNIFORMS (*re-committed*) BILL.
(No. 309.)

Considered in Committee, and reported, without Amendment; to be read the third time To-morrow.

CHARITY COMMISSION.

Ordered, That the Reports of the Select Committees of 1884 and 1886-7 upon the Charitable Trusts Acts, 1853-1869, be referred to the Select Committee upon the Charity Commission.—(*Mr. J. E. Ellis.*)

Report from the Select Committee, with Minutes of Evidence, brought up, and read.

Report to lie upon the Table, and to be printed. [No. 221.]

House adjourned at half after
Twelve o'clock.

HOUSE OF LORDS,

Tuesday, 17th July 1894.

ALIENS BILL.—(No. 155.)

SECOND READING.

Order of the Day for the Second Reading, read.

Moved, "That the Bill be now read 2^d."
—(*The Marquess of Salisbury*.)

THE FIRST LORD OF THE TREASURY AND LORD PRESIDENT OF THE COUNCIL (*The Earl of Rosebery*): My Lords, the closer examination which the Government have been able to give to the Bill of the noble Marquess has not strengthened any prepossessions they may have entertained in its favour. In the first place, I venture to think that no such proposal as this ought to be made to Parliament except on the initiative and on the authority of the Executive Government. That, in my opinion, is a very grave objection to the proposal. The noble Marquess, no doubt, may contend that it is owing to the laches, or the neglect of the Executive Government, that he has been compelled to move in this matter, but I venture to say that is not the case. The case, as regards the immigration of aliens, was infinitely stronger when he was at the head of the Government. At that time he did not move; and I have here in my box the answers, or some of the answers, that were made on the part of the Government at the time when they were pressed in the same way as the noble Marquess now presses us. In the House of Lords, in February, 1890, Lord Balfour of Burleigh stated that "the numbers of alien immigrants had been much exaggerated." At the end of May, 1891, Mr. W. H. Smith was extremely emphatic on this point. He said, "The whole subject is receiving the earnest attention of the Government." He went on to contend that

"the right of asylum in this country, as regards political refugees, has always been maintained: and the restrictions on the immigration of foreigners who may be supposed to be destitute

would involve legislation which might bring about even greater evils. regard must also be had to the fact that there is a considerable emigration of Englishmen to the Continent."

Sir M. Hicks-Beach answered in the same sense in June, 1891. On July 28, 1891, Sir M. Hicks-Beach said, in answer to Lord Henry Bruce—

"It does not appear there is any sufficient reason at present for the adoption of effective measures to prevent the introduction of indigent foreigners."

Then, again, in March, 1892, Mr. Ritchie replied—

"It does not appear to me there is any sufficient reason at present for the adoption of the course suggested by the hon. Member."

That was to take steps to put a stop to the immigration of paupers. Now, my Lords, the reason I quote these answers is to show that at the time when the Government of the noble Marquess opposite gave these clear and weighty answers under the pressure of their own followers, among whom I observe Colonel Howard Vincent was the principal, the immigration of pauper aliens was infinitely greater than it is now. In 1892 the Board of Trade calculates that the net addition to the alien population residing in the United Kingdom was about 11,500, and that it fell to about 6,000 in 1893. The net increase due to the immigration of Russians and Poles into London, the great centre of such immigration, is estimated at rather over 7,000 in 1891, when the noble Marquess's Government was in power and was giving these answers; at about 3,000 in 1892; and at rather less than 3,000 in 1893. And at this moment I believe that immigration has touched the lowest point ever reached. I have in my hand the last Report on immigration down to July 11 last, and it says that the total number of alien immigrants that week is 55 less than the preceding week, and it is the smallest number that we have had for any week since that ending May 2. This is the more remarkable, as at this time in other years we have had the largest numbers. For instance, the *Hamburg* came here just at this time a year ago—July 6—with 113 aliens: this voyage she brought only four. Therefore, I think, my Lords, when we consider that the numbers have been falling ever since the attitude taken up by the noble Marquess and his Government on

this question in 1891 and 1892, we are justified in concluding that this Government is not called upon to deal, and has not shown any neglect in dealing, with this question. On the contrary, it is an act, I think, open to question on more than one ground, in the last month of the Session, to bring forward a Bill in your Lordships' House which could have no chance of passing the other House, and that on the responsibility of an ex-Minister who gave such clear and decided notes on this question when he himself was in Office. My Lords, I am not one of those who take the high line that in no circumstances shall there ever be any restriction on alien immigration into this country. I have more than once expressed myself to the effect that the time may come when it may be necessary to impose such restrictions. If, for example, all the outlets for emigration were closed; if, to use a metaphor of the noble Marquess, all the conduit-pipes of emigration were shut, and if there was a large measure of expulsion from foreign States of populations tending to degrade and impoverish, and even largely to compete with, our industrial population, I myself should say that a case had arisen for legislation. But I venture to say that at the present moment there is no such case. I have read the figures as they have been most carefully sifted by the Board of Trade, and it cannot be said that there is anything to be alarmed at in the influx of some 3,000 aliens, when we do not even know how many of these aliens leave the country. The noble Marquess the other day brought figures to prove that the increase was something like 16,000 in five months, and some of the organs of the Press have improved on that statement, and have published the assertion that within the last six months 20,000 aliens have settled in the midst of our Metropolis. The noble Marquess forgot the very serious deductions to which his figures were liable. In the first place, a considerable number of the 16,000 are sailors—some 5,000 or 6,000—obviously not for settlement. Then there are a considerable number who arrive without through tickets, but who pass on to other destinations during the year of their arrival. Again, there are many who return to the countries from which they came; and, therefore, what these

16,000 represent is not the clear number of those who arrive to settle in this country, but the gross influx of aliens not holding through tickets for other countries. After sifting these figures the Board of Trade have come to the conclusion which I have indicated, and they have, if I may use a coarse expression, "sweated down" these figures to those which I have mentioned. And I venture to think that the figures which that responsible Department have laid before Parliament in their published Blue Book fully corroborate the other figures I have mentioned. Well, my Lords, in the Blue Book which was circulated the other day on alien immigration your Lordships will find the following statement on page 22 :—

"The broad conclusions deducible are that the total number of aliens of all classes who have arrived in this country, and may be taken to have remained here, amounted in 1891 to about 12,000, in 1892 to 11,500, and in 1893 to rather less than 6,000."

Then, again, I must call the attention of the noble Marquess to the fact that ever since the time when he took the firm and consistent attitude that no action was necessary or should be taken, there has been a considerable reduction in the influx of alien paupers. Now, my Lords, there is another statement of the noble Marquess which would certainly have affected my position in this matter, and which, I think, must have made a considerable impression upon your Lordships. He said that the principal conduit-pipe of emigration, that to the United States, had been recently closed. That is a statement for which I cannot find any corroboration. It is quite true that there have been laws passed in the United States of late for the restriction of immigration, but they had had no appreciable effect in that respect. The last of the United States laws dealing with the restriction of immigration came into force in May, 1893. Now, in 1893, 64,000 odd foreigners passed from the ports of the United Kingdom to the ports of the United States. How many of those 64,000 do your Lordships suppose were rejected under this new and more stringent law which the noble Marquess believes closed the conduit-pipe? Ninety-nine. Therefore, as the exact numbers were 64,263, your Lordships will see that nearly 64,200 were admitted into the United States. So the danger, which I

quite admit seems to me to be the greatest danger of all, that of other countries placing restrictions on immigration, so that all the destitute immigrants might be forced on to our shores, is at the present moment illusory. Now, my Lords, there is another point to which I wish to call your attention. It is, of course, said that there are a number of pauper aliens entering this country, and it may also be alleged that the number of aliens already in this country constitute a serious danger in the way of competition in trade or chargeability to rates. These, I think, were important elements of the noble Marquess's statement. Now, as regards the influx of pauper aliens into London, they are, so far as I can ascertain, almost restricted to two quarters — part of St. George's-in-the-East and part of Whitechapel. Now, I do not deny that there is a strong feeling in a part of the East End of London, and notably in these parishes, against the influx of these pauper aliens, but you must remember that, whether the number be great or small, they do not become chargeable to the rates. These Polish Jews do, no doubt, some of them, come in a state of some poverty to this country, but they do not become chargeable to the rates, because the rate to which they belong undertakes their support when they are placed in circumstances of poverty, and therefore any argument which may be based on this ground, and which is practically alluded to in the provisions of this Bill for excluding pauper aliens, does not bear at all upon the influx of Jewish pauper aliens or Jewish poor people into the East End of London. But this is, perhaps, only a side issue, although I think the noble Marquess laid some stress upon it in his speech the other day. What I want to point out is, that the whole case is exceedingly small, far too small for legislation now, and not likely to become great enough for legislation in the future. I have quoted the figures which relate to the annual immigration of aliens into this country. No one can say that the influx of a few thousand aliens can do any harm to the population of this country, either in the way of competition or of association, or even of degradation, because, as a matter of fact, it is found that where the degraded immigrant settles in this country he does not

tend to degrade those who surround him, but those who surround him tend to elevate him. The question is an essentially small one. What is the proportion of aliens to the remaining population of this country at this moment? In the United Kingdom there are only 5·8 foreigners to every 1,000 inhabitants. With a residue of 995 per 1,000 native Britons that does not seem to me a very alarming proportion. But it seems to me a much less alarming proportion when I contrast it with the proportions of other countries. In the German Empire the proportion of foreigners is 8·8 per 1,000 of the population; in Austria it is 17·2 per 1,000, while in France it is 29·7 per 1,000, and in America it is 147 per 1,000. Therefore, I am bound to say that when we are asked to legislate for an enormous evil, to forsake our traditions in this manner, all of a sudden, in the last dying weeks of a languishing Session—

THE MARQUESS OF SALISBURY:
Hear, hear.

THE EARL OF ROSEBERY: Yes, but why has it languished? I say that when we are asked to do all this, we should be presented with facts considerably more important than those which have been produced by the noble Marquess, or which any Department of the State is willing to bring to his support. My Lords, I know it is said that they might compete in industries with our own population. I cannot enter into that argument. It is a very lengthy argument, and it is presented in this Report on alien immigration to which I have already alluded. The reporter there says that it will be necessary to investigate very minutely and in great detail the circumstances of the various trades before he can produce any definite conclusion on the subject. But there is a letter in *The Times* from a supporter of the noble Marquess, and one well versed in this controversy—I mean Sir Julian Goldsmid—who says most distinctly that that competition does not exist, and he arrives, though indeed more tersely, at the same conclusion as is arrived at by the reporter to the Board of Trade, that that competition does not exist, and that what has happened is this: that the aliens have brought their trades with them—new trades which are not trades of the United Kingdom. They have brought and developed their trades in our

midst as aliens in former times brought and developed their trades, and in no sensible degree do they compete with native industry. The two avocations in which I believe they are mainly engaged are the production of cheap cigars and cigarettes and of that form of cheap clothing, whether tailoring or boot-making, which produces the article called "slops." Our experience is that cheap clothing, in these few years during which alien immigration has been constantly going on, has increased some 52 per cent., and this is a collateral argument of some importance in support of the contention of Sir Julian Goldsmid and the Board of Trade. Therefore, then, I would ask, on what is it that we are to base this legislation against pauper alien immigration? legislation to which, as I have before said, I am not unfavourable if circumstances should require it. But at the present moment, when, as far as I can make out, no vestige of an argument or fact can be brought in its favour, where are we to find a basis for proposing this legislation? It is clear that this immigration is small and decreasing; that on all authority there is no competition with native industry; and that this alien immigration does not produce any charge upon the rates; and, therefore, I ask on what grounds are we to go to the House of Commons in the month of August and ask them to pass legislation which conflicts with all our traditions, without having some plain argument and some statistics on which to base our action? There will be one result, no doubt—one drastic result of any such legislation. You will fortify the restrictions immeasurable against your own emigration abroad. There is a constant tendency in foreign countries, and I suspect your Lordships know it as well as I do, to increase vexatious health-restrictions in the hope that contagious disease may be excluded, and there is also in the United States, more especially, to which our great flow of emigration chiefly proceeds, a great tendency to bar the gate against those who go there insufficiently provided with this world's goods. If we are to set the example of restrictions on aliens of this kind, both as regards poverty and as regards disease, we with our very limited experience, and our slender basis of facts, are practically exhorting the United

States to carry out much more stringent regulations than they have hitherto done to shut out our natural flow of emigration. In that way the Bill proposed by the noble Marquess will, I venture to say, have infinitely worse effects as regards the free flow of the population to the United Kingdom than anything that can be contemplated under the present state of things. Now, my Lords, I come to the other provisions of Bill. I might ask, perhaps, before leaving the first part of it, what are the exact provisions which the noble Marquess contemplates carrying into effect? He proposes to give to the Board of Trade Inspectors power to judge whether an alien is an idiot. Well, that is a very invidious power, and I am not sure that the Board of Trade Inspector would care to enter into a detailed examination of every alien, as indicated by the third clause of the Bill. Who is a person "likely to become a public charge"? Many of these people come over with no means. In the last Report there is mention of a woman 60 years of age; she had but small means, and you would say she was likely to become a public charge, but she was going to her relatives who had asked her to come over and who were going to support her. But in any case none of these pauper aliens, against whom your legislation is distinctly aimed, would become liable to the public charge for the reasons I have pointed out, and therefore I do not see what validity the Bill then would have. As regards a person affected with dangerous contagious or infectious disease, what would happen? He would remain on board ship, and he would contaminate the crew. I do not suppose that the noble Marquess would be prepared to carry out so large a measure as sending the ship back to the port from which she came, with all her passengers, a sort of pest-house, and her cargo ruined. It would be one of the greatest impediments to the commerce of the United Kingdom if any such dangerous idea was likely to be acted upon. What, then, would you do with a contagious person? You would have to freight a ship to take him back. In what respect would that be preferable to the present procedure of the Local Government Board which is this—that when a ship arrives containing a person affected with contagious disease that

person is landed and treated by the sanitary authorities as if he were a person labouring under a contagious disease in the town in which he is landed. I cannot conceive what would be the improvement under the clause of the noble Marquess. Now, my Lords, I pass from the machinery, which, I think, the noble Marquess himself will admit is crude, and is probably introduced more for the purpose of raising discussion than for any purpose of effective operation, to the second division of the Bill. Here again I am quite willing to admit that where a case is made out for interference we should not allow any particular tradition to hamper us in dealing with it. If we were in a state of rebellion, or if we were at war with any foreign Power, it might be necessary to revive restrictions which were introduced by Mr. Pitt in 1793, though I do not know that they were particularly operative; but as a matter of fact when you are face to face with a grave and critical condition of affairs no statesman who is worth his salt will be hampered by any traditions, however illustrious, in doing his best to combat the evil with which he has to deal. But I venture to say that in the case of pauper aliens there is absolutely no case for the restrictions now proposed, and where there is no ground for any such restrictions it is extremely inadvisable to impose them. I will not return to the melancholy task undertaken by the noble Marquess in his speech on Thursday week on the First Reading. To the last day of my life I shall regret the inadvertence which led the noble Marquess to make a statement which I am sure he cannot substantiate, and which has produced, as I predicted it would, disastrous results abroad. I see that among those who justify him there is a tendency to say how utterly wrong were the vaticinations of Lord Rosebery. On the contrary, the speech of the noble Marquess has been received with singular and almost unanimous applause abroad. That was just what I was afraid of. All the time the noble Marquess was speaking I heard the distant hum of the applause of the foreign Press which is unfriendly to this country. The foreign Press has been seeking to fix on this country the imputation of being the harbourers of assassins who disturb their peace. It was a windfall which in their

wildest dreams they could not have hoped for, when they heard the noble Marquess say that "these enterprises, so far as we can judge, have to a great extent been prepared and organised on this soil." Now, my Lords, as regards that statement, I ventured to contradict it at the time, and I have taken more pains to examine it since. I considered that so grave a charge should not be made without the most substantial evidence, and I went to the Home Office, which has supervision of this class of meditated crime, and the Home Office consulted the police, and they authorise me to state in the most clear and unambiguous terms that none of these conspiracies that have been hatched against foreign Governments or foreign States have been planned or plotted in these islands.

THE MARQUESS OF SALISBURY: None of the murderous outrages?

THE EARL OF ROSEBERY: None since this Government has been in power. If it was before this Government came into power the noble Marquess must have been aware of them, and it was his duty and his responsibility to take measures to prevent them. So far as we are concerned our hands are clean. No outrages have been plotted or planned in these islands while we have been at the helm of the State, and, therefore, we have not undertaken the responsibility of proposing repressive measures to deal with them. The noble Marquess intimated that President Carnot's assassination was planned in this country. I thought the statement extremely doubtful, for no evidence had been adduced in proof of it. If the noble Marquess relies on the foreign Press for veracity in its assertions against this country he will be led far in detestation of his native land. Every detail of the progress of this assassination from the conception of the crime to its execution, so far as it is revealed in the Press, conclusively proves that there was no shadow of support for that allegation. What improvement, I asked, would the measure of the noble Marquess introduce into the present system of dealing with these offences? What happens now is this. Men, criminals no doubt—men of bad character, come to these islands, and I have no doubt are very undesirable inhabitants of them. They may when they are here meditate plots either against persons in these

islands or against persons outside these islands. But they are under supervision while in this country, and under pretty strict supervision; and it is rare, I think, that we do not know what they have in contemplation. If they are contemplating crimes against people in these islands the law furnishes a sufficient remedy for dealing with them; but, if they are meditating crimes against people outside these islands, what is the remedy proposed by the Bill? It is to send them out of this country. It is quite obvious that they cannot assassinate persons outside these islands while they remain within them, and therefore the proposal of the noble Marquess is to send these people out of the country in order to give them the very facility they want to perpetrate crime. That, after all, is the common sense of the position, and we must rest very much on the comparative merits of the two courses before us—either the course we pursue now, which is that of strict supervision and communication with the foreign police—and I may mention in connection with this that we never had a single complaint as regards the inadequacy of our measures of prevention since we have been in power—or we can take the restrictive measures proposed by the noble Marquess. On two occasions within the last 50 years these measures have been passed by Parliament; a measure analogous to that proposed by the noble Marquess was proposed, not perhaps without justification, in that period of revolution, 1848. What was the result? In not one single instance was any action taken under that Act. Then in 1882, when there was a grave crisis in Ireland, perhaps the gravest crisis that this generation has been called upon to face, those powers were renewed as regards Ireland; and what was the result? In not one single instance were those powers used. Therefore, I again ask what is the basis or recommendation for this proposed legislation? You are going to invite Parliament, at a time when there is no complaint from abroad, at a time when there is no allegation, except from the noble Marquess, that crimes are plotted against foreign Governments within our shores, at a time when the only outrage within our shores has been the chance explosion of a projectile in the neighbourhood of Greenwich Observatory, as to

The Earl of Rosebery

which, owing to the death of the man who was carrying the projectile, we can offer no certain explanation—it is at this time of profound tranquillity, when no complaints are made from abroad, that the noble Marquess comes forward and asks us to renew legislation which on the two occasions of real crisis when it was proposed was never in a single case acted upon. I venture to think that the course recommended by the noble Marquess is not desirable. I venture to say that such legislation, if it is not absolutely required, is eminently inexpedient. You would have great difficulty in passing it. You remember the case of Lord Palmerston. I admit that Lord Palmerston's Government was not thrown out on the Act, but on the Despatch which had been addressed to him in connection with that Act. There are passages even in Lord Palmerston's speech on that occasion which are not without justification when we are asked to pursue the course indicated by the noble Marquess.—

“A disposition prevails on the Continent”—said Lord Palmerston, in bringing in this Bill—

“that the Government and Parliament of this country should take some steps which should place it in the power of the Government on mere suspicion to remove aliens from the United Kingdom.”

That is the course recommended by the noble Marquess. But what did Lord Palmerston say?—

“Sir, it is needless for me to say that it is not the intention of Her Majesty's Government to propose any measure of this kind to Parliament. We are sensible, as everybody must be, that there may be cases in which men entertaining the most criminal projects might be removed with advantage from the country. But, at the same time, any law which gave to the Government that power would be so liable to abuse and would infringe so largely upon the general principle according to which the shores of the United Kingdom are open to people of all nations who might be compelled from political or other causes to seek a refuge here, and who, as long as they conduct themselves peaceably, ought to enjoy the peace and refuge which they seek, that any Government would hesitate long before they proposed any such measure to Parliament, and I am quite sure that any Parliament would be quite as disinclined to pass it.”

I have heard the illustrious shade of Lord Palmerston invoked for this legislation; but in face of that statement it would very much surprise me to hear it

invoked again. Lord Palmerston also said—

"There is nothing in the Bill which gives the Executive Government any arbitrary power in regard either to Her Majesty's subjects or any alien resident within the realm. It gives no power of expulsion. There is nothing in it which in the slightest degree interferes with that law of hospitality by which we have invariably been guided with regard to foreigners seeking an asylum in this country. Any foreigner, whatever his nation, whatever his political creed, whatever his political offences against his own Government, may, under this Bill, as he does to-day, find in these realms a safe and secure asylum as long as he obeys the law of this land."

That was the language of Lord Palmerston, not at a time of tranquillity, when there was no political imputation against this country, but immediately after an assassination directed against the ruler of a foreign country and traced to this country. Lord Palmerston, with that rare sagacity and long Parliamentary experience which distinguished him, saw conclusively that it was hopeless to propose any legislation to Parliament which touched the just jealousy of the privilege of asylum which exists in that body. I venture to say that that jealousy has not diminished now. The present more democratic character of the House of Commons has in no degree diminished the jealousy of any restriction of the right of asylum which prevails in this country. If anything, it has increased that jealousy, and I cannot conceive a more arduous task than for any Government, however strong, to attempt, without an overwhelming accumulation of facts, to pass any such measure as this through the House of Commons as at present constituted. My Lords, when I say this, I do not of course mean to say that there is or can be in this Government or in any Party in this country any sympathy with what is called Anarchical outrage. We should be willing to enter into the most cordial exchange of views with any foreign Government as to any reasonable method of preventing such crimes. The Anarchists do not represent to us any of those revolutionary graces which in old days recommended many political refugees to our shores. On both sides of the House we have recently had an opportunity of expressing our complete repudiation and horror of the most recent of these outrages. But I am unable to say, because we feel that

horror, and because we entertain it as strongly as any nation that has been robbed of its Princes or statesmen by these outrages, that we should be compelled to depart from the course which has been shown to be secure, and to embark upon one which, when it has not been inoperative, has been regarded with the greatest jealousy and dislike by the people of this country. I pass from that jealousy to another and very practical consideration. The noble Marquess proposes—and I confess that after his long experience at the Foreign Office I am surprised at the proposal—to give the Secretary of State discretionary power to expel any alien when he shall have reason to believe that that course may be expedient for the preservation of peace and tranquillity within the country, or for the prevention of crime within or without the dominions of Her Majesty. I venture to say that the position of the Secretary of State would not be a pleasant one if that clause were passed. The noble Marquess knows perfectly well—no one better—that the Secretary of State would be pressed on all sides by foreign Governments to expel from our shores persons whom they considered dangerous to their own Rulers or Constitutions. The Secretary of State would be under continuous pressure, which it would be extremely ungraceful to resist, but to which it would be impossible to yield without issuing warrants at all times and seasons for the expulsion of refugees, whose expulsion foreign Governments might demand. I may give an instance. There is one Government I know that considers that newspapers which are printed in London are a source of incitement to crime within its dominions. If this Bill were passed, my noble Friend Lord Kimberley would have at once to issue warrants for the expulsion of everyone connected with those newspapers. Whether he thought it right or wrong, he would be bound at once to give up refugees to the Government that demanded them, under pain of coming to blows with the Government making the demand. Would that be a desirable state of things? My Lords, I will give a concrete instance of a man whose expulsion would certainly have been demanded from us under such a measure as the noble Marquess proposes, a man whom we could not have given up, and the

refusal to expel whom would have involved us in the most strained relations with foreign Powers—I mean Joseph Mazzini. That man was in no respect allied to the new and godless set of revolutionists which has now arisen. His faith in his ideal Republic was subordinate to the highest and most profound belief in the Almighty guidance of the world. He has left a great impression in this country, and when he died, his own country, which had under other circumstances demanded from Switzerland that he should be expelled, passed a unanimous vote deploring his departure. I very much doubt whether, in the period between 1848 and 1860, the most violent pressure would not have been brought upon this Government to surrender Mazzini to the Government of Naples, which has ceased to exist, or to several Governments which are now living, and to which I will not, therefore, further allude. In what position would we have been? I do not believe that the people of this country would have allowed any Secretary of State to surrender Mazzini. What would have been the result? The Secretary of State would have been turned out of Office, and a flat refusal would have been sent by Parliament or by the authority of Parliament to the foreign Government that claimed the surrender. Therefore, if this clause had been in operation, you would have had a dislocation of our domestic Government at home and a still greater dislocation of our relations with foreign Governments. I say, then, my Lords, if you really mean to pass such a Bill as this, if you hope to recommend it to your countrymen, you can only do it in some solemn hour of supreme crisis, when the Government of this country, armed with the knowledge and responsibility that can recommend legislation to Parliament, can with that knowledge and that responsibility bring a practical measure before Parliament. As to this Bill, I deprecate its introduction; I foresee its disappearance; I do not believe for a moment that the noble Marquess can himself have meant that it should pass into law. Therefore, I think that it is hardly possible that he could have rendered a greater disservice to his country than by introducing this Bill and delivering the speech with which he introduced it.

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My Lords, I freely admit that in bringing forward a Bill of this character from the Opposition side of the House, I am challenging the conduct which the Government have pursued, and trying to point out to them that they have not met the crisis through which we have been passing in the manner which their duty and their position demanded. But I will deal, in the first place, with the least important points to which the noble Earl referred. He informs me that the Board of Trade have sweated my figures down. I readily admit that the Board of Trade are great adepts in that art, but for my part I prefer figures for use that have not been sweated. When I introduced this Bill to your Lordships, I pointed out the rate at which, according to the official figures furnished by the Board of Trade, aliens were being introduced into this country. I showed that in 1891 the official figures for the first three months gave 15,900 aliens, that the official figures for the first five months of the present year gave more than 15,000, and that, in my judgment, it was probable that when we obtained the figures for June they would show about 20,000 as the number that had come into this country during the first six months. As a matter of fact, the figures have come out since at 19,400, or a little more. The only deduction that is made from these figures, on which I understand that the opponents of this proposal rely, is that a certain number of these immigrants were sailors, and, it is said, that therefore it is certain that they went out again. In that respect I have, in the first place, to point out that many, especially of the most destitute immigrants, would represent themselves as sailors because they would come in by the process of working their passage. That is the ordinary mode in which a man who is destitute of all other means of procuring a passage procures it. I entirely deny that all who come into this country as sailors go out again as sailors. Such a contention involves the assumption that there are no sailors in distress or out of employment. I believe a very large number of aliens who are in destitute circumstances in this country are sailors who, on account of the great depression which has affected the shipping trade during the last few years, have been unable to con-

tinue their previous avocation. I entirely demur to the broad assumption that all sailors who come into this country—all persons who give their names as being sailors—may be treated as going out again in the same capacity, and are not to be treated, therefore, as aliens who have remained in this country during the year. Even if we admit this deduction on account of sailors, the figures as they have been treated by the Board of Trade show a most marvellous contradiction. The Official Return of the Board of Trade derived from counting the immigrants represents that the aliens not stated to be *en route* to America who came in during the year 1893 were 33,458. Even if you go on the assumption that no sailors are destitute, and that no sailors remain behind unable to get on when they come into this country, there would still be only 9,000 to be deducted from that number, and then the number of alien immigrants into this country who stayed during the year 1893 was 24,000. That is the result of the official figures as they stand. Mr. Willis, in a paper, whose ability I readily grant, has sweated down that number of 23,000 to 6,000, but he has done that by the help of figures which are not official, which cannot be cross-examined, and which are wholly incapable of being weighed. He has attempted to prove that there cannot have been that number of immigrants remaining in the country, by comparing the number of persons who came into the country with the number of those who have gone out. But he has no official figures to show how many immigrants came in and how many went out. He is obliged to obtain that information by private communication with owners of ships and others from whom he imagines he has the means of arriving at a conclusion. That might be a trustworthy mode of computation if it were not confronted by the fact that in the face of 24,000 represented in the official figures to have come in, he only allowed for 6,000 remaining. I cannot say that I think these figures are of a trustworthy character, and until we have it in an official form, and can ascertain how many companies have been consulted, how many firms have been consulted, and what is the nature of the evidence they can give, those figures must be regarded with some doubt. But it would be a great mistake

to suppose that on the ups and downs of figures a policy such as this can be based. What I ventured to lay before you was that the justification of a policy of this kind, of giving to our Government the power of excluding pauper aliens, depends upon the fact that other countries were doing the same. It is because America in the year 1893 made her legislation singularly more sharp, because Canada maintained an almost equally severe exclusion, and because, as I think, the noble Earl himself confessed, all nations were doing the same, that it becomes a matter of policy. Whether it is a matter of urgent policy or not, it becomes a matter of policy to give your Government the power to exclude aliens whom foreign restrictions must direct to your shores. If there is always moving out of Europe a pauper population, if all other nations refuse to receive them, it becomes a matter of mathematical certainty that they must come here. And do not imagine that because you do not find the names of pauper aliens on the workhouse lists that therefore they exercise no influence to the injury of your own population. It is these people who diminish the chances of earning a livelihood which your own population feels so much. Their difficulty of finding employment is increasing more and more, the number of those who are seeking public relief gets greater and greater, and there is a very general belief among working men, and I think that belief is founded upon facts, that the introduction of these aliens, who are content with the very lowest conditions of existence, has a tendency to drive our own population out of employment and to increase the hardness of that battle which they have to fight in finding the means of living. It is a matter of no small consideration that that is the belief they themselves entertain—that the Government of this country does not sufficiently safeguard their interests by preventing a competition to which they have a right to object. My Lords, the noble Earl relied very much on the fact that the American law had not been carried into operation in any great number of cases; but that is precisely an indication of the mode in which legislation of this kind acts. It does not act so much to drive people out as to deter them from coming in. The American law is now very strong. It

forces Steamship Companies that bring immigrants to hand up in their offices in this country a full statement of the prohibition against persons landing who are likely to become a public charge. This matter is brought to the knowledge of those who are desiring to become immigrants into America, and naturally they shrink from making a fruitless voyage across the Atlantic in order to make a voyage back again; and the number of those who actually confront the American Inspectors becomes exceedingly small. But it would be very illogical to assert that on that account the law has had no effect. The noble Earl complains of the machinery I have put into the Bill. I need hardly say that on Second Reading that is not a matter which it is necessary to discuss at length. I should be very willing if this matter went on, if your Lordships pass the Second Reading, and we go into Committee, to adopt any more perfect machinery which the Government or anybody else might suggest; but my defence for adopting the machinery I have put into the Bill is that it is the American machinery. It is a machinery that has been tried and found to operate well, and I simply transfer the American enactment to the proposals I have laid before your Lordships.

THE EARL OF ROSEBURY: Has it been operative?

THE MARQUESS OF SALISBURY: Yes, it has deterred those who would otherwise have gone from going, and has kept America free from paupers whose landing they dread. That is one of the great recommendations of such a measure for this country. I should be very sorry if there was a constant sending back of people who have come over to this country; but we know that when once destitute persons abroad are aware that they will not be allowed to settle in this country unless they have means of existence they will never undertake the enterprise. They will shrink from the process of inspection and refusal, and they will spare us the necessity of inflicting it upon them. The effect will be as efficacious here as in America—in fact more so, because the journey across the Channel or the North Sea is not so severe as that across the Atlantic. It is to the deterrent and not to the operative effect of this proposal that I look for efficacious action in keeping pauper aliens

out of the country. The noble Earl spoke as if this Bill, if passed into law, must immediately spring into operation on all parts of our coasts. That is not the form in which it is drawn. If the Government so think fit, it may be allowed to remain dormant, and if the Government see occasion to put it into force they can do so by a simple proclamation. It is entirely on their responsibility, it is entirely in their discretion what shall be the amount of its operation, how long it shall last, and what force and operation they will give to the Bill if it passes. The noble Lord recommends us to wait until there is some great exodus proclaimed and determined upon abroad. In my opinion, it would be much wiser to do it now when there would be no apprehension of any invidious application of such legislation. If there were some great famine abroad, and there were numbers coming across, of whose sufferings you heard highly-coloured accounts, there would be a very serious difficulty not only in passing such a measure through Parliament, but in explaining it to the foreign Powers with whom you are living in friendship. It would put you under the necessity of discussing all the miseries that were going on, and all the danger of the exodus at a time when men's minds would be irritated and excited, and when, therefore, there would be the least possible chance of inducing persons on either side of the water to give a calm and cool consideration to such proposals. There is one danger, at all events, with which the noble Lord threatens me, which, I confess, I have no cause to fear. He seems to think that any legislation of this kind will encourage the Americans in pursuing the policy on which they have entered. Will the noble Lord tell me whether, in anything he has observed in American legislation, they require the least encouragement in the pursuit of any policy on which they may have seen fit to enter? There is no nation which is less liable to be driven from one side to the other in a policy which it has undertaken than the Government of America. I am quite certain that this Bill, if your Lordships pass it, will not have the least effect on America or any other Power in inducing them to alter the course of policy on which they have embarked. I have not represented this

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as an urgent case; but I feel that it is a case which is growing in urgency every year, and that the discouragement to your own population is very serious at a time when their misery is so great, and the difficulty of obtaining employment is so serious, if they feel that they are exposed to the competition of men with whom, on account of the different conditions under which they live, it is very hard for them to fight, and that the burdens under which they lie are increased by a pauperism which is not their own. I do not represent the matter as of that urgency that great and immediate public evil will result if the proposal is not adopted; but I think that, in view of the legislation of America and of Canada, and in view of the fact that the outlet for all the poverty of Europe is now practically stopped in that direction, the matter calls for the attention of Her Majesty's Government, and I think that Parliament ought to make it the subject of legislation at the earliest possible period. I am not alone in this opinion. I have hit upon a sentence, an eloquent sentence, which seems to me to indicate pretty clearly what ought to be the policy of this country in this respect. This is the sentence—

"I take it if there is one certainty in the world it is this: that with the growth of immigration and with the continual closing of the confines of States to the destitute immigrants of other countries, there is no country in the world that will not be compelled to consider its position, and possibly reconsider its position, with regard to pauper emigration, unless it wishes permanently to degrade the *status* and the condition of its own working classes."

Those eloquent words are from the Earl of Rosebery.

THE EARL OF ROSEBERY: They do not seem to justify the introduction of a Bill in July.

THE MARQUESS OF SALISBURY: The noble Lord relies upon this being July, but, when I remember how little the difficulties of season weighed upon the noble Lord and his colleagues last year, I do not feel that we can for a single moment admit that that is a difficulty. I now come to the other and more important portion of the Bill. The noble Lord tells me that I have attacked my country and given a support to all its calumniators, and that there is no ground whatever for saying that the outrages which have taken place abroad have been

organised here. The noble Lord dwells a good deal on the fact that the late Government introduced no legislation of this kind. But, my Lords, the terrible outbreak of Anarchic violence and cruelty had not taken place when we were in office. This succession of massacres is a modern phenomenon. The noble Lord, I understand, condemns me for having said that these enterprises were organised on this soil. The words I used were these, and I certainly will not in the least admit that they were used by inadvertence—they are words to which I adhere:—

"The world has been horrified by tragic events that have taken place, and these tragic events have been merely, as it were, the culmination of a series of attempts, sometimes successful, sometimes unsuccessful, but which never could do anything but draw down upon them the denunciation and horror of all civilised men. The worst part of it is that these enterprises, so far as we can judge, are to a great extent prepared and organised on this soil. So far as we know, much of the material products by which these crimes have been effected are manufactured here."

I listened with great curiosity to the denial which the noble Lord brought from the police, and I observed that it was always attempts against the foreign Governments which he denied were organised here. He never said anything about attempts against foreign peoples. He never said anything about these terrible massacres of innocent men, which are the most cruel feature of the outbreak of crime that this generation has witnessed. He spoke much of Governments and Princes. I would not say a word to extenuate or diminish my own expression of horror at the terrible crime under which the President of the French Republic has fallen; but there is even a deeper depth than that horrible atrocity. It is to be found in those fiendish and bloodthirsty crimes which have not even the wretched defence that they are directed against the holder of any Power or any authority in foreign countries, but which are directed against people who are absolutely innocent, who have no connection with any bad laws, or evil social phenomena, or any institutions that can be condemned. Such enterprises as Barcelona and the murder at the Terminus Hotel appear to me to exceed in wickedness, if it is possible, even the wickedness under which the President of the French Republic fell. Those inno-

cent citizens were killed merely that attention might be attracted and that notoriety might be purchased for the assassins; and they flinched from no misery that they could inflict upon innocent men and women, from no destruction that resulted to families, if they could only attain the wretched objects that presented themselves to their diseased ambition. I venture to think that it is even a more terrible responsibility if it turns out to be the case that enterprises of this kind are prepared and organised in this country than even those enterprises which have still a shred, or a shadow, a tincture of political character upon them, horrible and detestable as they are.

THE EARL OF ROSEBERY: I am sorry to interrupt the noble Marquess, but since I spoke I have had the opportunity of communicating with the Home Secretary, who authorises me to extend the remarks I have made to all the murderous outrages of which the noble Marquess speaks.

THE MARQUESS OF SALISBURY: Of course, I cannot cross-examine that statement, and, so far as it goes, the noble Lord must have the benefit of it. I have to rely upon what appears in sources of public information. If I had relied upon foreign newspapers, as the noble Lord suggests, I might have brought testimony to bear upon such statements; but it is absolutely incorrect to say that it is only those newspapers which are hostile to this country that have indulged in reflections of that kind. Such reflections have come from newspapers belonging to every party and every tinge of opinion, whether friendly to England or the reverse, and what I have myself noticed in newspapers gave me the impression which I laid before the House. I deny that I am bound to bring forward proof before I make such a complaint to Parliament. Such a doctrine would involve that you may never complain of any evil, however horrible, unless you are prepared to bring witnesses to swear to it at the Bar. That is a total misconception of the duty of a legislative body. We have often to deal with evils of which we are fully convinced, but of which we cannot give formal or legal proof. I will read what was published in *The Times*—I think it came from the Central News, which is,

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I believe, an organ devoted to Her Majesty's Government—with respect to that explosion in Greenwich Park which puzzled the noble Lord so much. That explosion took place in consequence of the accidental firing of a projectile which was being carried in his pocket by the secretary of a certain club called the Autonomie Club, where the anarchical foreigners meet for the innocent conversation which the noble Lord guarantees—

"The district of Tottenham Court Road has long been notorious as the favourite domicile of the most advanced section of the Socialist party and of the Anarchists, English and foreign. In a street off this main thoroughfare is a club, known to the police for years past as the resort of political desperadoes of all nationalities, wherein anarchy and the 'Social Revolution' are preached. Some time ago the frequency of the visits paid by some of the leading frequenters of the club to a house in another street leading off Tottenham Court Road, and the fact that a number of French and Spanish Anarchists had taken up their residence in the same building, led to a special and very careful watch being kept on the place. It was speedily discovered that the suspected men were in frequent communication with the leading Continental Anarchists, and, as a matter of fact, as it is now known, the latest bomb-thrower, Emile Henry, was in the house only a few weeks ago. There is also reason to believe that he obtained from fellow-conspirators in this house the ingredients and material with which to manufacture the infernal machine which he threw with such terrible effect in the Café Terminus in Paris."

Of course, when you throw a bomb not much of it remains, and it is not easy to ascertain by examination whence it came or where it was made; but from *The Times* of February 14 it appears that

"M. Girard, the municipal analyst, thinks that the can containing bits of lead and zinc was probably an English can."

THE EARL OF ROSEBERY: Probably!

THE MARQUESS OF SALISBURY: Then unless I can produce the can and swear to the place where it was made the noble Lord thinks there is no possible reason for legislative interference.

THE EARL OF ROSEBERY: Was that extract from the Central News?

THE MARQUESS OF SALISBURY: No; from *The Times* correspondent in Paris. I suppose the noble Lord will also speak with contempt of *The Times* correspondent at Vienna; but in *The Times* of February 20 the correspondent of that paper in Vienna stated—

"It is interesting to note that, in the opinion of the police, most of the Anarchist handbills were printed in London."

In *The Times* of February 17 I also find—

"In the Autonomie Club a quantity of Anarchist literature was seized, including a manifesto couched in the most violent language, printed on blood-red paper, and headed in large letters 'Death to Carnot.' This had been printed in London, and is known to have been widely circulated in France."

Five months after that the dreadful murder took place. Would you, if you were dealing with a private indictment, doubt that that murder was, partially at least, organised in England? It is idle to say, until you disprove these facts, that these murders are not organised here. The noble Earl makes this ingenious suggestion, that these murders are only committed abroad, and therefore the best thing to do is to induce these persons to remain here. But it is here that they remain, and consult, and plot, and obtain materials for doing their crimes, and it is from here that the criminal messengers go forth to accomplish their hideous task. I do not know how far the denials of the Home Secretary may go. Of course, I am bound to accept them absolutely, so far as they go. But I can only say that it is most unfortunate that these impressions have been allowed to go abroad uncontradicted if there is really no foundation for them in fact. But, my Lords, be pleased to remember, if it is true that I can only rely on unofficial information, and cannot penetrate the secrets of the Home Office, that public opinion, not only here but abroad, is in the same position: that they can only argue from the phenomena which they see, and from the indications which convey themselves to their minds: and that they have been going on for years and years more and more convinced that our institutions—it may be with no fault of our own except our legislation—do give a harbour to these atrocious villains and do afford facilities for the commission of their crimes. I made an omission the other day. In my last speech I did not pay a tribute to the ceaseless activity and singular intelligence of the British police throughout the whole of these affairs. But that does not lessen, in the least degree, the case against the English law as it stands, which does not place in our hands that which, in many instances, is

the only effective weapon for preventing the organisation of offences of this kind. My Lords, I say that it is your duty not to allow this country to be the base of operations for crimes of this sort, that you are seriously injuring the interests of England abroad and seriously diminishing the influence of your country among foreign peoples, if you allow them to believe that reasonable precautions—precautions which every other nation takes—have not been taken by you to prevent the organisation of crimes on your own soil. The noble Lord spoke much of Mazzini. He must have been conscious, while he was speaking, that he was treating of matters wholly irrelevant to the question before us. My whole case is that everything has changed since the days of Kossuth, Mazzini, and Garibaldi. It is no longer a case of liberty against despotism. It is no longer a question of giving a harbour of safety to those who, in the vicissitudes of politics, have failed to carry their own ideals into effect. You are now dealing with men for whom any such excuse is impossible, and would be almost disgraceful. You are dealing with men who commit crimes, which it is difficult to exceed by reference to any which history has recorded, and which it would be difficult to exceed in any imagination that the power of poets or romancers could portray. These men are here. If you remain the only State from which they cannot be turned out, by a mathematical law they must all come here. You are close to the countries in which their greatest crimes are committed. It is not the fault of police officers, or the absence of our goodwill. It is only the fault of the defects of your law. It is the result which must inevitably follow, that, being near as you are, this terrible disease of anarchical murder and outrage should find a refuge, an assistance, and a cover in the shelter which, most unwillingly, our soil offers to their crime. My Lords, I should regret very much if it should be resolved not to take measures of precaution after the fearful year of crime we have had, if only in order to clear this country, even in the eyes of these foreign newspapers whom the noble Lord despises so much from the too plausible suggestion that we have not regarded this crime with sufficient horror, nor taken

adequate precautions to prevent it. It would be absurd if we should refuse to take those precautions lest we should fall into the other error, of which our ancestors were well and rightly afraid—namely, that of refusing succour to those who have no faults but their political opinions. We should only diminish our power of spreading sound political views in which we believe throughout the world if we allow them to be mixed up with the horrible caricature of them to which we have been exposed. My Lords, I do not express any very lively hope that, in the present state of business in the House of Commons, we should be able to carry this measure into law; but I do ask you to record your opinion that a change of the law in the direction of these suggestions is desirable, and to leave the responsibility of refusing to take it upon those who accept that responsibility, and to show, at all events, that there are many men and Members of one of the Houses of Legislature who view those responsibilities in a serious light in reference to the terrible phenomena of these later times. I do not, for a moment, accept the noble Lord's suggestion that the Minister for Foreign Affairs would not be able to refuse any improper suggestion which was made to him that he ought to exercise his power. Suggestions are made to Ministers by foreign Powers every month, which they are compelled to decline. Foreign Ministries know very well what are the views prevalent in this country, and no Minister would go against such public opinion. But I protest against the doctrine that out of fear of the weakness of our own administrators we will not arm them with the powers necessary to prevent the organisation of crime abroad or the maintenance of tranquillity at home. I feel convinced that these powers would not be misused, even by gentlemen with respect to whom my confidence is so little enthusiastic as it is with regard to those who now constitute Her Majesty's Government. But I am anxious to wipe off what appears to me to be a real disgrace to this country. The noble Lord seems to think that we can avoid the disgrace by stoutly denying the facts; but I am obliged to demur to any such ostrich-like policy. I desire to stand

with a fair conscience before the enlightened and Christian intelligence of the world; and I wish it to be known that our country looks with as much horror as any other country upon these detestable enormities, and that it is willing to make some departure from its old habits and some sacrifice of its own convenience in order to make clear to its allies and to its friends that it has no part or share in crimes which have cast a stain of blood and horror on the closing years of the 19th century.

EARL COWPER: As I intend to vote against those with whom I generally find myself in company, I desire to explain in a few words my views on this subject. There is no doubt that anything on this subject which comes from the noble Marquess opposite must be deserving of the greatest attention, because for six years he brilliantly conducted the foreign affairs of this country, and while maintaining the honour and dignity of this country abroad, was careful not to get us into any difficulty with any foreign nation. Indeed, I feel that if the noble Marquess were in power and asked for this Bill, it would be impossible to refuse him; but that not being so, it is open to us all to exercise the right of private judgment. Nobody regards those anarchist outrages with greater horror and detestation than I do; but I cannot feel that this Bill is the best way to strengthen the hands of the Government to cope with them. If the hands of the Government really want strengthening in the matter, the course of action appears to me to lie in another direction. I maintain that by the proposals of the Bill you will not, by any means, get the anarchists and those who advocate their atrocious measures within your net; but, on the other hand, you will strike at many who do not at all come under the category of anarchists. I will not go at any length into the question of previous Alien Acts. Almost all of them were carried with the intention of protecting ourselves from dangerous foreigners, who came to commit outrages within our shores, and they have hardly ever been acted upon; but the real difference between these Acts and the measure now before us is that now we are asked to pass an Alien Bill for the protection of other nations. The time that most resembles the present

state of things was 1858, when that abominable outrage was committed by Orsini. The man who threw the bomb not only endangered the life of the French Emperor, but caused the destruction of many innocent people, and but for an accident might have caused the death of many more. That was certainly a most outrageous crime, and one of which we might well be called upon to take notice. The circumstances now are very different, and I admit that so far as a difference exists it is in favour of the case of the noble Marquess, for now there have been no French Despatches left unanswered, and there are no furious denunciations by French military officers, such as were published in Paris in 1858; and, therefore, the present time presents less difficulty in enacting repressive measures. But I think that if we are to do anything it should be done in the direction which after mature consideration was decided on by Lord Palmerston, and that was in the direction of strengthening our own laws rather than in the direction of sending aliens out of the country. If we could not grapple with these Anarchists by means of the existing law, then the law must be amended and strengthened in order that nobody can excite to outrage or take part in outrage without bringing himself under the law. I believe the law is at present very strong in that direction, and that anybody who can be proved to have taken part in outrages of this kind, or to have been an accessory to them in any way can be punished as the law already exists. It is said that these outrages are committed entirely by foreigners, but I am afraid that no country, not even England, is entirely free from ruffians of the blackest die, or from that class whose mental condition hovers on the borderland between lunacy and crime, and I cannot feel sure that there are no Anarchists in England who are Englishmen. However that may be, we must have a different weapon than a mere power to the Secretary of State to tell these people to go away. If the law wants strengthening it must be strengthened in another way. I do not object to this power being given to the Secretary of State, because I fear any Secretary of State or any Government would be so weak as to surrender Garibaldi, Kossuth, or even Mazzini.

THE MARQUESS OF SALISBURY: There is nothing about surrender in my Bill.

EARL COWPER: But it would drive him away from this country, and that would mean in most cases to drive him into the hands of the authorities of his own country. But I was saying that I did not think that any Secretary of State would tell Garibaldi or Kossuth that they must leave our shores, or tell even Mazzini that he should go; because, in spite of the noble qualities which Mazzini undoubtedly possessed, there was one black spot on his career, and that was that he advocated assassination. But while I believe that no Secretary of State would under the Bill tell even Mazzini that he should leave our shores, the Bill would place any person who held the office of Secretary of State in a very disagreeable position. At present, if the Secretary of State is asked by any foreign nation to banish men of that kind from our shores, he would simply say, "I cannot do it." But if we pass this Bill he would be obliged to say, "I will not do it." Such a position of affairs would be likely to cause considerable friction between the Governments engaged in the controversy, especially if their relations were already in any way strained. Again, why should we press this Bill on an unwilling Government when the Government declare they have every weapon they want? Moreover, I deprecate any unnecessary multiplication of differences of opinion between this and the other House, and parading of such differences before the public. There are some measures in regard to which this House must record its opinions and stick to them. Every additional quarrel, every additional difference, must complicate matters in relation to the great main issue, and make it more difficult for the House of Lords, when it put its foot down, to insist on maintaining the opinions we have uttered, even to the very last. Seeing, therefore, that this Bill will not be acceded to by the other House, I cannot see the advantage of dividing on the present occasion. I hope that such a course will not be taken, but if it be taken, owing to what I consider to be the ineffective character of the Bill, and also its dangers in another direction, I shall be compelled to vote against the Second Reading.

THE LORD CHANCELLOR (Lord HERSHELL): With regard to the first part of the measure, I must call attention to what I think is an error into which the noble Marquess has fallen with regard to the statistics of pauper aliens. He suggests an inconsistency in what he calls the official statistics and the statements which are made in the Blue Book recently published. My Lords, the Return, as it comes out month by month, and half-year by half-year, is a record of the immigration of aliens who are "not known" to be on their way elsewhere—that is, who have not through tickets. It does not purport to be a Return of aliens who enter and stay. It does not follow that because the aliens are not known to be on their way elsewhere, that they are, therefore, not so intending, and indeed it is certain that many of them do intend and do go elsewhere. That is the explanation of the difference between the large figures of the noble Marquess and the very much smaller figures alluded to in the Return. I pass from that to what the noble Marquess said was the more important part of the Bill. Now, my Lords, the noble Marquess has based the case on that part of the Bill on the ground that we are shown to have been implicated in some of the crimes which have recently taken place.

THE MARQUESS OF SALISBURY: I must demur to that statement of my words. I did not use the word "implicated." I said that those crimes were, owing to defects of our law, organised on our soil.

THE LORD CHANCELLOR (Lord HERSHELL): By "implicated" I mean what the noble Marquess has just described. If these crimes have taken place because of the condition of our law, and we could have prevented them by changing the law, I regard that as implicating us. But I deny that the noble Marquess has established either, as a matter of fact. He has said that we ought to legislate on account of the disgrace—that was the word he used—which rests upon us by reason of these circumstances. I deny altogether that any disgrace rests upon us. I deny that there is any foundation in point of fact or that there has been the slightest proof produced that any one of these Anarchist crimes which took place abroad was hatched in this country, or that any one of them

would not have taken place just as and when it did if such a law as this had been in force. What evidence is before the House? On the one hand, your Lordships have the evidence of those who are likely to be as well informed as any people can be on the subject—the authorities who have been watching it during the last two years. That evidence so far is entirely against the supposition that these crimes were concocted here, or that the perpetrators of them went from this country to commit them. What have we on the other side? I quite admit that in a matter of this sort you may act upon evidence short of that which would convict a criminal in a Court of Justice. But still it should be some evidence. It should be evidence which ought to guide the action of reasonable men. Now, what is the evidence which the noble Marquess has produced? The principal evidence is a piece of Central News gossip about the Autonomie Club in Tottenham Court Road, upon which no reasonable man would act, and upon which certainly no reasonable man ought to act. Does the noble Marquess mean to say that these gossip accounts, which we see every day when crimes are committed or when there is a raid on this or that establishment, are to be relied upon as strict statements of fact? Yet, against the official statement of the noble Earl all that the noble Marquess puts is this gossip of the Central News. But what does that gossip amount to? That a man named Henry, who committed one of these crimes, had at some time previously been in this country. The man's antecedents and whereabouts have been investigated in France. Is it not certain that that man, whether he had been in this country or not, had been living in France, and had been long in France before this crime was committed, and that he had been under the observation so far as could be of the French police when the crime was committed? To say that we are responsible for that crime in any sort of way, even if it be true, as to which there is no evidence but the statement of the Central News, that he had been in London some weeks before, is ridiculous. He committed that crime with some bits of iron and an explosive, both of them perfectly well obtainable in France just as well as here, and with a can which, it is suggested, was

probably of English make, but which might have been obtained as easily in France as here, because I imagine there are plenty of cans of English make in France. Surely that could not be taken as any evidence that this crime was a crime resulting from any action in this country. But what should we have done if this Bill had been law? This man Henry was only a sojourner here. He came for the purpose of going back, and all we could have done would be to tell him to go, which is just precisely the action he took. How could you have taken any step towards preventing this crime? I deny that it is established as a fact that there is any special call for this legislation, and I maintain that it is in the highest degree undesirable to legislate in this fashion without an urgent necessity for it. But there is another thing which, it seems to me, the noble Marquess has to establish in order to prove his case for this Bill, and that is, not merely that some of these anarchical crimes might be planned here or that some of the materials might have been got here, but that the power which he proposes to give would do anything towards preventing the commission of these crimes or their concoction in this country. It is not every perpetrator of these crimes that is known beforehand as about to perpetrate them. The Home Secretary here could only get his information from the police, and it is very often difficult for the police to become aware of what is to come about. Under this Bill you cannot act until you get information that a man is plotting. It seems to me that if you had such information, the probability is that you would do much more harm than good by expelling him. The probability is that if a man was kept under police surveillance here, and our police were in communication with foreign police, the crime would be much more likely to be prevented than by expelling him. It seems to me the weapon with which you propose to arm the Government is one that never would be effective. There is no evidence that it ever has proved effective, and I think the noble Marquess was bound to offer some ground for believing that the mere power of expulsion—for that is all it amounts to—would enable you by expelling a man to render the number of crimes less. I am

unable to see how it would do so. The man expelled would go somewhere. He is a man as a rule—very frequently, at all events—reckless of life, who often glories in these crimes when he knows his doom is certain. Do you suppose that by merely sending a man of this description, even if you suspected him, out of this country, to make some other country the base of his operations, you would be likely to prevent any of these crimes? I cannot believe that you would, and to pass an Act which would be a mere page on the Statute Book and ineffectual would be infinitely worse than to leave the law as it stands. The noble Marquess asks us to pass the Bill in order to show our sense of the disgrace of offences of this kind being planned upon our shores. I think there would be nothing more unwise than to pass any legislation from a motive of that description. If we are certain that we are doing the best that could be done; if we are certain that legislation of this kind, if passed, though it might be a cause of embarrassment, would not furnish us with a weapon which would stop them one crime, then nothing would be more foolish than, for fear that foreign nations might think that we were not doing all that we ought, we should put upon the Statute Book legislation which would be a dead letter and which would not stop any crime. If such legislation did no good it must do harm, because if in a moment of excitement and horror and detestation of these crimes which make us all shudder you pass ineffective legislation under the notion that you are doing something, it is likely to make you less vigilant and active in that which you really can do. There is a risk also of this legislation, which would not diminish the number of anarchical crimes, endangering the relations between this and other countries at times when it might be all-important that these relations should not be strained. For these reasons I trust your Lordships will not give a Second Reading to this Bill, and I hope that the noble Marquess may respond to the appeal made by the noble Earl who has just sat down to consider whether it is necessary to take a Division upon it if it is not to be passed into law. We are all at one in our horror of these crimes and in desiring to prevent their being planned, and it would be a great

misfortune if there should seem to be a division of opinion when that division of opinion was merely with reference to the best and wisest machinery to be adopted for dealing with these crimes.

THE DUKE OF DEVONSHIRE: I will endeavour to occupy the time of your Lordships for as few minutes as is possible, for I know we have arrived at an hour when any prolongation of the Debate would be inconvenient. I wish to say one or two words as to the course which I propose to take upon this Bill. I think the House is indebted to the noble Marquess opposite for having raised this question. It is not, perhaps, one of the very largest importance as affecting the interests of a very large portion of the population, but it is one which vitally affects the interests of some very considerable classes. The question has been the subject of inquiry, both in this and in the other House for some time past, and I think it is time some step was taken to ascertain the position of the country with regard to the question of the control or restriction of alien immigration. I think that that question has been raised and discussed in a more convenient form by the production of a legislative measure than by an abstract resolution or even by a Motion for a public inquiry. As I understand the speech of the Prime Minister, the Government have taken up a position more absolutely opposed to any consideration of this question of the restriction of foreign immigration than has been taken up by any Government of any former time. Not later than last year in a Debate in the House of Commons the then Prime Minister and Mr. Mundella, who was then the President of the Board of Trade, expressed the willingness of the Government to have a further inquiry into the subject. But the noble Lord to-night appears to have made up his mind that the information that has already been obtained is complete, and satisfactorily disposes of the question without any further inquiry or consideration at all. I confess I am quite unable to adopt that view of the case, and although I feel that no practical result can attend the passing of this Bill in your Lordships' House without the co-operation of the Government, I shall vote for the Second Reading. If I am asked whether there is a case or not for conferring upon the Government

Lord Herschell

certain restrictive powers for regulating the immigration of a certain class of aliens, I cannot deny that in my opinion there is a case. I will go still further. If it can be shown that the immigration of criminal persons, or persons affected with contagious disease, is injurious to any part of our population, the State, under certain circumstances, has a right and a duty to regulate and restrict such immigration. I cannot, however, maintain that in my opinion this is either a complete or, in many respects, a satisfactory measure. The Bill does not profess to deal with the most difficult part of the question. The prohibition of immigrants who would be liable to become a charge upon the rates would effect very little. Those people do not generally become chargeable on the rates; but, at the same time, the immigration of these people may, from the small wages they are prepared to accept, be the cause of making a very large portion of our population chargeable on the rates. Owing to their habits of life—to the low standard of life they adopt, and the low wages they are willing to accept—they may be the cause of depriving a large portion of our people of their employment, and if not of absolutely depriving them of their employment, of largely diminishing their wages. The principle of this regulation as to immigration has been admitted by a Committee of the House of Commons, although it was not prepared to go to the length of recommending immediate legislation. Since that time proposals for legislation have been aimed at the prevention or the mitigation of the evils connected with that immigration. It is my firm belief that legislation intended for that object will fail in its purpose unless it is supplemented by further legislation which shall place some check on the inflow into this country of that class of labour which is specially liable to the evils connected with sweating, and is in constant competition with that class of native labour which we have raised or are endeavouring to raise to a better condition than it has hitherto occupied. As I have said, the Bill does not deal at all with the class of immigrants which it is most important for us to consider, and I do not believe that, after all the inquiries that have already been made, we are yet in a position adequately

or wisely to deal with that class. We require still further investigation. It is true that we have had a Committee of the House of Lords that has dealt with part of the subject; and a Committee of the House of Commons that has dealt strictly with it. The Committee of the House of Commons admitted the difficulties under which they laboured and the almost total absence of information either as to the numbers or as to the conditions and mode of life of the immigrants into whose case they were inquiring. Each inquiry was more or less hampered by the fact that a simultaneous inquiry was going on in the other House. The Chairman of the Committee of the House of Commons declined to enter into one part of the question, because he thought it would encroach upon the functions of the Committee of this House. There were various indications also that the Committee of this House was prevented by the simultaneous inquiry of the House of Commons from going fully into this part of the question; and both the late Prime Minister and Mr. Mundella, as President of the Board of Trade, last year expressed this opinion that there was a case for further inquiry, and indicated a Committee of the House of Commons as the proper body to undertake it. In my opinion, a Commission—it need not be a large Commission, but a small Commission—would be a more practical and useful body to conduct such an inquiry. A great deal of information has, no doubt, been produced by the Board of Trade, but such conclusions as their Report contains are open to question; and, indeed, Mr. Giffin himself admits that it is not the function of the Board of Trade to draw conclusions as to policy from the information. What has been done has, no doubt, added very largely to the materials from which conclusions are to be drawn, but I do not think it would be safe to leave any department of the Government to draw conclusions on which Parliament could act from the information as yet at their disposal. It seems to me, therefore, that it would be desirable that a further inquiry, probably by a Commission, should be undertaken, and I would commend that course with equal confidence to both sides of the House. Such an inquiry can only strengthen the position of the Go-

vernment if, as the Prime Minister thinks, there is no case to be made out in favour of the restriction of foreign immigration; and such an inquiry is equally necessary for the purposes of the noble Marquess opposite, because I think he will admit that until further information is obtained we are not very likely to be able to legislate practically on the subject. While I have no hesitation in supporting the Second Reading of the Bill as affirming the right and duty of the State to regulate the immigration of certain classes of aliens, at the same time I confess that I have some doubt as to the principle involved in the second part of the Bill. I think it is to be regretted that two subjects of such a different character should have been brought together in the same measure, the one dealing entirely with an economical question, the other being partly a political question and partly dealing with considerations affecting the general law. I think it desirable that two such very different matters should be dealt with separately. The noble Lord at the head of the Government must have found that the gloomy anticipations which he formed of the difficulties that would be raised by what he called the imprudent statements of the noble Marquess on the last occasion have surely been justified. I do not gather that the Government have received official information from foreign countries to show that the position of this Government with regard to other Governments has been injuriously affected by the proposal of this measure. On the contrary, I am disposed to think that most sensible people abroad must see that the proposal of the noble Marquess is brought forward with a sincere desire to place this Government in a position to fulfil more effectually than it can do at present its international duties with respect to other countries. If we are ever to strengthen our law it would be well to do it now, when no demands are made upon us by foreign Powers, when we are not asked to legislate in any spirit of panic, and when we have no other reason for action than a desire to do our duty to foreign Governments and peoples. I do not, however, feel absolutely convinced that the powers now sought to be conferred upon the Government would materially strengthen their hands. Therefore, in

giving my vote for the Second Reading of this Bill, I only give my assent to the principles contained in the first part of the measure which deals with the immigration of destitute aliens, and I reserve full liberty of consideration and argument with respect to the second portion of the Bill should it come to be discussed in Committee.

LORD HALSBURY : I want to ask two very simple questions which I hope the Government will answer. In the first place, I wish to ask under what power and authority the Autonomie Club was interfered with by the police and broken up ? I suppose I ought not to refer to newspapers, after what has been said as to their not being evidence, and that we ought to have actual evidence, as in a Court of Law, but undoubtedly newspaper reports, never contradicted, show that a certain number of persons in the club were seized and their papers examined. I want to know under what law and upon the accusation of what offence was that done ? The second question which I wish to ask is equally simple. Why was none of the persons captured tried in a Court of Law ? It appears that they were kept in custody one night and released next day. To the ordinary man the idea would present itself that this place harboured a gang of conspirators, and that therefore it was broken up by the police, the persons on the premises taken into custody, and their papers examined. But since that time nothing had been done. No one of those captured in the club has been tried for any offence. It would appear that there was a collection of foreigners engaged, I presume, in some business that was not innocent in this club. If it was innocent, then certainly the police committed a gross outrage upon them. But since the time when they were seized none of them has been tried for any offence or alleged offence in connection with their presence in the club. I cannot help thinking that foreign nations considering these things would naturally ask why, if the English law permitted such action by the police, it should not go a little farther and make these people depart from our shores to a place where they could be more conveniently watched by the police and more summarily dealt with. The noble Earl opposite said that the English law was at present able to deal with those persons.

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EARL COWPER : What I said was that if the law was not able to deal with them it should be strengthened.

LORD HALSBURY : I understood the noble Earl to express satisfaction with the present state of the law on the question. Lord Campbell, in the case of Dr. Bernard, said he would reserve that very point for the Court of Appeal ; but inasmuch as the jury acquitted the prisoner the point was not then determined, nor has it been determined since. I have no information as to the offence which these people were supposed to have committed ; nor do I know upon what authority the raid of the police was made, but can any human being doubt that the Autonomie Club was a club of foreign conspirators with aims that are inhuman, for anarchists are *hostes humani generis* ? If the law of this country permits a nucleus of persons to meet in a club of this kind and hatch plots whilst foreign countries have the right to seize such conspirators and deal with them, where are they likely to collect except in the country which stands alone in assuming no special powers for their suppression ?

On Question ? their Lordships divided :—Contents 89 ; Not-Contents 37.

Resolved in the affirmative.

Bill read 2^a accordingly, and committed to a Committee of the Whole House.

THE LAND TRANSFER BILL.

THE CHAIRMAN OF COMMITTEES (The Earl of MORLEY) asked the Lord Chancellor whether he was aware that papers had been circulated from time to time by the Incorporated Law Society criticising the working of the system of registration of title to land upon which his Land Transfer Bill was based ; and whether he would obtain a Report of the Land Registry upon these papers, and lay them on the Table of the House ?

THE LORD CHANCELLOR (Lord HERSCHELL) : I have called for a Report from the Registrar with reference to the working of his office in relation to these matters. I have received that Report, and will have it laid on the Table of the House.

LOCAL GOVERNMENT (IRELAND) PROVISIONAL ORDER (No. 5) BILL.
(No. 116.)

Returned from the Commons with the Amendments agreed to.

LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 16) BILL.—(No. 127.)

Returned from the Commons with the Amendments agreed to.

QUARRIES BILL [H.L.].—(No. 149.)

Reported from the Standing Committee without Amendment, and to be read 3^a on Monday next.

COAL MINES (CHECK WEIGHER) BILL.
[H.L.].—(No. 153.)

Reported from the Standing Committee without Amendment, and to be read 3^a on Monday next.

INDUSTRIAL SCHOOLS BILL [H.L.].
(No. 152.)

Reported from the Standing Committee with Amendments: the Report thereof to be received on Monday next; and Bill to be printed as amended. (No. 165.)

SEA FISHERIES (SHELL FISH) BILL.
(No. 141.)

Reported from the Standing Committee without Amendment, and to be read 3^a on Thursday next.

LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 12) BILL.—(No. 122.)

Reported from the Standing Committee without Amendment, and to be read 3^a on Thursday next.

PREVENTION OF CRUELTY TO CHILDREN BILL.—(No. 160.)

Read 3^a (according to Order), with the Amendments; further Amendments made; Bill passed, and returned to the Commons; and to be printed as amended. (No. 166.)

ZANZIBAR INDEMNITY BILL.

Brought from the Commons; Read 1^a; to be printed; and to be read 2^a on Thursday next. — (*The Earl of Kimberley.*) (No. 167.)

CHIMNEY SWEEPERS BILL.—(No. 182.)

Order for the Second Reading on Monday next discharged.

House adjourned at twenty minutes past Eight o'clock, to Thursday next, a quarter past Four o'clock.

HOUSE OF COMMONS,

Tuesday, 17th July 1894.

QUESTIONS.

COLONEL MITCHELL'S CLAIMS AGAINST THE WAR OFFICE.

MR. NAOROJI (Finsbury, Central): I beg to ask the Secretary of State for War if he has recently received any letters or representations from Colonel E. Mitchell, R.E., retired, on the subject of a certain claim for compensation under the Queen's Royal Warrant for enforced retirement under the new rule; whether he is prepared to take any action on the matter; whether he will lay the documents upon the Table of the House; whether he will lay upon the Table of the House the undertaking that the litigation of "*Mitchell v. Regina*" was at an end, which the late Secretary of State for War on the 28th of November, 1890, informed the House of Commons, in reply to Mr. Cunningham-Graham, had been given by Colonel Mitchell; whether this officer, more than four years ago, officially transmitted to the War Office an affidavit denying the statement of the late Secretary of State for War, and asking for an inquiry into the matter; whether any inquiry was made; and whether he will lay upon the Table of the House the affidavit of Colonel Mitchell?

THE SECRETARY OF STATE FOR WAR (Mr. CAMPBELL-BANNERMAN, Stirling, &c.): Many letters have been received on this subject from Colonel Mitchell. The officer's case has been more than once decided in the Law Courts, and I am not prepared to re-open it; but, as the accuracy of my predecessor's statement in this House is questioned, I have no objection to lay on the Table the correspondence relied on as

comprising the undertaking which he mentioned as having been given by Colonel Mitchell, which, notwithstanding Colonel Mitchell's affidavit, seems to me to fully bear out Mr. Stanhope's statement. I have no objection to lay so much of Colonel Mitchell's affidavit as refers to this transaction on the Table at the same time, but I must object to give the whole affidavit, which covers the whole of his case, which, as I have said, has been decided by the Courts of Law. At the same time, I will lay on the Table an extract from an affidavit, dated the 29th of February, 1891, by Mr. A. T. Hare, of the firm of Hare and Co., agents to the Treasury Solicitor.

CRUITT HARBOUR.

MR. T. D. SULLIVAN (Donegal, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that, on behalf of the inhabitants of a large and highly congested district in Western Donegal, several applications have been made, in the time of successive administrations, to the Congested Districts Board for the erection of a deep-water quay or pier in Cruitt Harbour; whether the engineers of the Congested Districts Board have visited the place and acknowledged the suitability of the site, and the great benefit that would accrue to the fishing industry in those parts from the construction of such a quay; whether he is aware that, for want of such a convenience the transfer of passengers, sometimes numbering hundreds, to and from a steamer that occasionally calls into Cruitt Harbour on her passages between Sligo and Glasgow, is a task involving much difficulty and danger; and, whether, in view of the great service that would be rendered to a poor but industrious population by the construction of such a quay, he will arrange to have the work undertaken by some one of the Public Boards having control of such matters?

THE CHIEF SECRETARY FOR IRELAND (Mr. J. MORLEY, Newcastle-upon-Tyne): I am informed that applications have been received by the Congested Districts Board for the construction of a deep-water pier at Cruitt Harbour. The Board have no official information as to the statements in the second paragraph of the question, but

while admitting that the pier would be of service, they point out that the estimated cost of the different works suggested in connection with this harbour varies from £10,000 to £150,000, or even more, and they regret they have not sufficient funds at their disposal out of which to undertake a project entailing such a heavy expenditure even at the lowest estimate of cost. I have also communicated with the Board of Works, the only other Public Department concerned in such matters, and for a similar reason they would be unable to take up the work.

HALKYN MOUNTAIN QUARRIES.

MR. S. SMITH (Flintshire): I beg to ask the Secretary of State for the Home Department whether he is aware that a piece of common land in the parish of Halkyn, Flintshire, and known as Halkyn Mountain, is honeycombed with quarries, some of which are worked, but most of which are disused; that none of the quarries whether worked or disused are fenced; and whether, seeing that the mountain is open and covered with footpaths, and that these quarries are dangerous to life, Her Majesty's Government will exercise some pressure on the Department of Woods and Forests so that some protection may be given to life and limb on Halkyn Mountain without delay?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. ASQUITH, Fife, E.): The Report which I have received from Her Majesty's Inspector of Metalliferous Mines fully bears out the statements in the first paragraph of my hon. Friend's question. I have communicated with the Office of Woods, and learn from them that in the case of quarries held by Crown lessees steps will be taken to enforce the covenant as to fencing.

POSTAL OFFICIALS AND POLITICAL ORGANISATIONS.

MR. STANLEY LEIGHTON (Shropshire, Oswestry): I beg to ask the Postmaster General whether he is aware that Mr. Isaac, the postmaster of Brynmawr, Breconshire, is in the habit of taking an active part in political meetings and organisations; that his son, who is also in the employment of the Post Office as assistant clerk to his father,

is the secretary to the local political association called "The Brynmawr Liberal Hundred," and also takes an active part in political meetings, and has access to and the principal charge of the Telegraph Department; whether he is aware that Mr. Isaac, senior, as assistant overseer, prepares the Parliamentary Voters' Lists, and that his son is advertised as the person to whom Radicals should tend in their claims to be placed on the Register; whether he is aware that it has been found necessary to despatch telegrams on political matters from the Beaufort Post Office, two and a-half miles distant, in order to avoid inspection from the postmaster at Brynmawr; and whether it is in accordance with the Post Office Regulations for its officials to take an active part in local politics?

THE POSTMASTER GENERAL (Mr. A. MORLEY, Nottingham, E.): No, Sir; I am not aware that Mr. Isaac, Postmaster of Brynmawr, is in the habit of taking an active part in political meetings and organisations. On the contrary, I am informed on excellent authority that he has studiously abstained from anything of the kind. Mr. Isaac's son, who as acted as assistant to his father for the last 12 months, appears to have taken an active part in local political questions, and I have given directions that, unless he abstains from so doing, he is to be precluded from taking any part in Post Office duties. He does not, I need hardly say, hold any appointment under the Department. As regards Mr. Isaac's holding the appointment of Collector of Rates and Assistant Overseer, the prohibitory rule on the subject was issued in 1885, and applied only to new intrants, and not retrospectively. Mr. Isaac was appointed in 1882.

MR. STANLEY LEIGHTON: But is this young man not paid by the Post Office?

MR. A. MORLEY: No, Sir. A certain sum is granted to the Postmaster, who supplies his own assistants.

MR. STANLEY LEIGHTON: Is the right hon. Gentleman aware that a public meeting has been held in Brynmawr as a protest against this question being put, and at that meeting did not Mr. Isaacs, jun., declare his intention to continue the action of which I complain?

MR. A. MORLEY: I am aware that a meeting, attended by 1,400 persons, was held to protest against the inaccuracies contained in the question. As to Mr. Isaacs, jun., I have given instructions that so long as he is connected with the Post Office he must abstain from participation in political movements.

HABITUAL DRUNKARDS.

MR. WHARTON (York, W.R., Ripon): I beg to ask the Secretary of State for the Home Department if he proposes to lay upon the Table of the House a Bill dealing with the question of habitual drunkards?

MR. ASQUITH: I stated in answer to another hon. Member yesterday that the Bill is being drafted, and will be introduced in one House of Parliament or the other before the close of the Session.

CASTLETOWN DISPENSARY RESIDENCE.

MR. D. SULLIVAN (Westmeath, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what is the cause of the protracted delay in erecting the dispensary residence in Castletown, Geoghegan, County Westmeath; is he aware that a site for the doctor's residence was fixed on over a year ago; and that the poor people in the Castletown district have to walk over 12 miles when they require the services of the dispensary doctor; and whether the Local Government Board will put pressure on the Castletown dispensary committee to quickly put an end to this hardship?

MR. J. MORLEY: I am informed by the Local Government Board that the delay referred to has been caused by the difficulty experienced by the Mullingar Guardians in procuring a site on terms satisfactory to the Dispensary Committee. A site was selected last year, but the rent demanded was deemed exorbitant by the Dispensary Committee. The Medical Officer resides at present at Castletown, where the new residence is proposed to be built, and, so I am informed, no hardship to the poor can therefore arise. However, I have requested the Local Government Board to communicate with the Board of Guardians on the subject.

IRISH POOR LAW ADMINISTRATION IRREGULARITIES.

MR. MAINS (Donegal, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland (1) whether it has been reported to him that the Local Government Inspector (Mr. Agnew) on recent visits to the following unions—namely, Carrickmacross, Castleblaney, Larne, and Ballymena, found that the masters of these unions had more paupers entered on the books and charged for than were in the establishments; and, if so, in what other unions has he found a similar state of things; (2) whether the Local Government Board will in future instruct all their Inspectors, when they visit the unions in their districts, to see that the number of paupers in the house corresponds with the number in the books; and (3) what steps the Local Government Board will take in face of this loss to the ratepayers?

MR. J. MORLEY: (1) The fact is as stated in the first paragraph; and a similar state of things was also found to exist in the case of the Newtownards Workhouse. (2) The Local Government Board will consider whether it is possible to adopt steps to prevent the occurrence of similar abuses in these and other unions in Ireland. (3) The masters of the workhouses named have been called upon for written explanations as to the discrepancies in question, and upon the receipt of these explanations the Board will decide what further action should be taken in the matter.

KINSALE HARBOUR REVENUES.

CAPTAIN DONELAN (Cork, E.): On behalf of the hon. Member for the South Eastern Division of County Cork, I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the fact that the revenues of the Port and Harbour of Kinsale have for the last two years been collected by a Receiver appointed at the suit of the Board of Works, Dublin Castle; and that during that time the Board of Works have delivered no account either of their receipts or expenditure to the Harbour Commissioners, though frequently asked for it; whether the Receiver delivers any account, annually or otherwise, to the Board of Works, either directly or through the Court by which

he was appointed; and, if so, whether there is any and what objection to their furnishing a copy of such account to the Harbour Commissioners; and whether he will give directions that such accounts be furnished by the Board of Works?

*THE SECRETARY TO THE TREASURY (Sir J. T. HIBBERT, Oldham): The Board of Works have not been asked by the Harbour Commissioners to deliver accounts to that body. The Harbour Commissioners did, in October, 1893, complain by letter to the Board of the non-production by the Receiver at their monthly meeting of statistics showing the state of the revenue. In consequence of this letter, the Board communicated with the Receiver, and obtained from him an assurance, which they communicated to the Harbour Commissioners by letter of 18th November, 1893, that every facility would be given them for the examination of books relating to the harbour. The means of preparing accounts of receipts and expenditure, i.e. the books and documents referring to these matters, are in the hands of the Receiver, and the duty of delivering accounts to the Court of Chancery rests with him, and not with the Board. At the same time, he is perfectly willing to give every facility to the Harbour Commissioners. The present Receiver has furnished the Board with a statement of dues received and details of expenditure from June 16th, 1893 (date of appointment) to March 31st, 1894. The Board have directed a copy of this statement to be forwarded to the Harbour Commissioners.

CAPTAIN DONELAN: Is the right hon. Gentleman aware that one firm alone owes harbour dues to the amount of £135, and that the Receiver of the Harbour Revenues has not been permitted to take proceedings for the recovery of this sum? Will he kindly instruct the Board of Works to furnish a monthly return of the revenue, so as to enable the Commissioners to exercise some supervision over the collection of the dues?

SIR J. T. HIBBERT: The Board of Works have no control over the Receiver.

MR. FLYNN (Cork, N.E.): But is not the right hon. Gentleman aware that the Receiver has been appointed to collect the annual instalments, and that therefore the Harbour Commissioners are

entitled to this as a question of right and justice ?

*SIR J. T. HIBBERT : We are anxious to afford every facility to the Harbour Commissioners.

PASSENGERS FROM FOREIGN STEAMERS AT QUEENSTOWN.

SIR G. BADEN-POWELL (Liverpool, Kirkdale) : I beg to ask the President of the Board of Trade whether he can state the total number of passengers from the United States landed from foreign steamers in Queenstown since the 10th June of this year ; how many of these passengers are in excess of the numbers allowed by the British Passengers Act ; and whether, in each case, there was an examination of the vessel by Board of Trade officials ?

THE PRESIDENT OF THE BOARD OF TRADE (MR. BRYCE, Aberdeen, S.) : I am told that 486 passengers from the United States have been landed at Queenstown from foreign steamers since June 10, and I have no reason to believe that any one of these steamers carried passengers in excess of the number allowed by the Passengers Acts. These vessels only remain at or outside the harbour of Queenstown about half-an-hour, and no special examination is made. In any case in which there is reason to suppose that the statutory number will be found to have been exceeded, such an examination would at once be directed.

SIR G. BADEN-POWELL : But are not all British vessels calling at Queenstown to embark passengers inspected ?

MR. BRYCE answered, that, whereas on the outward passage vessels remain some time at Queenstown inside the harbour, where an examination could be made, on the homeward voyage they generally landed their passengers outside the harbour, and remained only a very short time, having to go on to Liverpool. Under such circumstances, therefore, an examination would be attended with great difficulty.

DOMINICA.

SIR G. BADEN-POWELL : I beg to ask the Under Secretary of State for the Colonies whether Her Majesty's Government has come to any decision in respect of Sir Robert Hamilton's Report

on Dominica ; and, if so, whether he can indicate what the decision of the Government is, and present to the House the Report itself, together with such Correspondence as will suffice to explain the decision of the Government ?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (MR. S. BUXTON, Tower Hamlets, Poplar) : We have been giving the matter our best consideration. But the Papers are very voluminous, and a question of this nature cannot safely be dealt with rapidly. I should hope a decision will be taken shortly.

THE FRENCH OCCUPATION AT CHANTABUN.

MR. CURZON (Lancashire, Southport) : I beg to ask the Under Secretary of State for Foreign Affairs whether, in view of the statements of Her Majesty's Government that the evacuation by the French troops of Chantabun, in Siam, might be expected as soon as the trial of the alleged author of M. Groscuriu's death was completed, and in view of the fact that that trial has now been concluded and the accused person sentenced, the evacuation of Chantabun, in accordance with the assurance of the French Government, may now be expected ; and whether he can now lay upon the Table the long-promised Papers relating to Siam ?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (SIR E. GREY, Northumberland, Berwick) : The French Government have not yet announced how soon Chantabun will be evacuated. The Papers are being got ready for publication, and will be issued directly they are ready.

MR. CURZON : That reply does not give the information I want. What I wish to know is, whether it is not a fact that the hon. Gentleman has frequently stated in this House, and the Prime Minister in the other House, that the sole remaining condition upon which the evacuation by the French troops at Chantabun can take place is contingent on the completion of the trial of the alleged author of M. Groscuriu's death ? The condition being now fulfilled, I wish to know whether Her Majesty's Government has addressed, or proposed to address, any communication to the French

Government reminding them of their repeated assurances on this matter?

SIR E. GREY: I am not in a position to make any further statement as to the communications between Her Majesty's Government and the French Government on this subject. The Papers, which will place the House in possession of the communications, will, I hope, be ready in a fortnight at most, when the question can be discussed at greater length and with more advantage.

*MR. GIBSON BOWLES (Lynn Regis): Will the Papers relate to the so-called blockade?

SIR E. GREY: Yes; what passed in regard to the blockade will be given.

BOUNDARIES OF UPPER BURMAH.

MR. CURZON: I beg to ask the Under Secretary of State for Foreign Affairs whether he can now give any information to the House as to the terms of the Anglo-Chinese Convention relating to the boundaries of Upper Burma; and whether Papers will be presented?

SIR E. GREY: The Convention will be published as soon as the Ratifications, which are now on their way, have been received.

SWINE FEVER IN THE ANTRIM UNION.

MR. MACARTNEY (Antrim, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether there has been an outbreak of swine fever in Antrim Union; and whether any steps have been taken to stamp it out; and, if not, why have the proper authorities not taken action?

MR. J. MORLEY: There have been 34 outbreaks of swine fever in Antrim Union. The usual action for the prevention of the spread of disease was taken in each instance. The premises on which the disease was ascertained to exist were declared infected places, and kept under police supervision, with a view to prevent illegal movement either into or out of the premises. In 26 instances the swine in contact with those affected have been slaughtered, and steps taken for the disinfection of the premises. Any other case in which it has been decided to slaughter the remaining swine on the premises have been placed in the hands of Inspectors of the Veterinary Department to deal with.

Mr. Curzon

SEWAGE IN VALETTA HARBOUR.

CAPTAIN GRICE-HUTCHINSON (Aston Manor): I beg to ask the Under Secretary of State for the Colonies whether his attention has been called to the frequent cases of illness, some of which have ended fatally, that have occurred lately amongst officers and men of Her Majesty's Navy stationed at Malta; and whether these are caused by the sewage of the town being discharged into Valetta Harbour; and, if so, what steps the Government intend to take to remedy the evil?

MR. S. BUXTON: I understand that there has been no unusual outbreak of illness recently amongst the naval officers and men stationed at Malta, and upon this point I would refer to the reply given by the Secretary of State for War to the hon. Member for Central Hull on the 10th instant. There have been some lamentable deaths, but they were not apparently traceable to the sanitary state of the harbour. This has been much improved of late years; and at the present moment the question of how best still further to improve its sanitary condition is receiving the active consideration of the Government of Malta.

POLICE PROTECTION DUTY.

CAPTAIN GRICE-HUTCHINSON: I beg to ask the Secretary of State for the Home Department whether the constables on duty at the Irish Office are forbidden to quit their post for any cause whatever unconnected with the office, and have no means of electric or other communication by which to summon aid for themselves, or for the protection of life and property in the neighbourhood; and, if so, whether he will give instructions that such necessary communication be afforded them?

MR. ASQUITH: Constables on protection duty at the Irish Office, Houses of Parliament, and other public buildings are not allowed to quit their posts for any cause whatever. The necessity for this rule is obvious: if it was not enforced, a police constable might be called away on some excuse by any ill-disposed person. It is true that the officers on protection duty at the Irish Office have no means of electric or telephonic communication by which to summon aid, and as there is a police constable on fixed

point duty within 300 yards of the Irish Office, and the neighbourhood is patrolled regularly by the police, I do not consider it necessary to establish communication as suggested by the hon. Member for the protection of life and property. The police station is within less than five minutes' walk.

LEITRIM MAGISTERIAL BENCH.

MR. TULLY (Leitrim, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that, according to the Return presented to Parliament in December last, there were in County Leitrim 13 Roman Catholic Magistrates and 62 of all other religious denominations, whilst the population of the county consists of 71,098 Roman Catholics and 7,520 of all other denominations; that in the barony of Carrigallen, with a population of 14,691, the only Roman Catholic Magistrate has recently died, and the present Lord Chancellor has appointed no Roman Catholic Magistrate there; that also in the barony of Mohill, with a population of 15,899, there has been no Roman Catholic appointed since the present Government assumed Office; and whether the Lord Chancellor will make appointments of Roman Catholic Magistrates to remedy the existing disproportion between Catholics and Protestants on the Magisterial Bench in the County of Leitrim?

MR. J. MORLEY: The facts, I understand, are correctly stated in the first paragraph. The Lord Chancellor informs me that before the question had been placed on the Paper he had taken steps for the appointment of several Catholics to the Commission of the Peace for the County Leitrim.

RAILWAYS AND UNDUE PREFERENCES TO TRADERS.

MR. JACKS (Stirlingshire): I beg to ask the President of the Board of Trade whether the Board of Trade has determined to continue the practice of not availing themselves of the powers given them by "The Regulation of Railways Act, 1873," to take up for traders cases of undue preference against Railway Companies before the Railway Commissioners where the points involved are of public importance; and, if so, whether he would consider the propriety of a Public Department thus declining to

use powers given to it by the Legislature, and the consequent advisability of, by legislation, transferring those powers from the Board of Trade to the Home Office, to be used in cases of general or public importance?

MR. BRYCE: No, Sir; the Board of Trade have not come to any general determination in the matter. Each case must rest upon its own merits. For many years no application has been made to the Board of Trade to use the powers conferred upon them by Section 6 of the Act of 1873; but should any application be made it will be the duty of the Board of Trade carefully to consider what are their powers under the section, and what use ought to be made of such powers as they possess. I see no advantage of considering the advisability of transfer by legislation of those powers from one Department to another.

HOURS OF LABOUR ON THE GREAT EASTERN RAILWAY.

MR. A. GROVE (West Ham, N.): I beg to ask the President of the Board of Trade whether his attention has been called to the fact that the shunters and pointsmen employed in the London goods yards of the Great Eastern Railway are, with six exceptions, working for 12 hours a day; and whether, if these facts are correct, the Board of Trade will take steps under the recent Act to have these hours shortened, taking into account the exceptionally dangerous nature of the employment?

MR. BRYCE: If my hon. Friend will cause a representation to be made to the Board of Trade giving particulars of the hours of work complained of, and alleging that they are unreasonable, I will cause inquiry to be addressed to the Company under the provisions of "The Regulation of Railways Act, 1893."

CORRESPONDENCE ON THE CONGO TREATY.

SIR G. BADEN-POWELL: I beg to ask the Secretary to the Treasury whether the "Further Correspondence" of a most important character in regard to the Congo Treaty, published in *The Times* of Monday, 16th of July, is official correspondence; whether he is aware that as late as 6 o'clock on Monday afternoon no copies of such correspondence could be obtained by Members of

this House; and whether he can explain why such important correspondence is communicated to newspapers practically a whole day before it is placed in the hands of Members?

SIR E. GREY: I find that a full supply of these Papers was delivered at the Vote Office on Saturday, and not until then were they supplied to the Press.

SIR G. BADEN-POWELL: Then how is it they were not available to hon. Members at 6 o'clock yesterday evening?

*SIR J. T. HIBBERT said, he had made inquiries as to that. Members should have been able to obtain them. It was quite wrong to send copies to the Press before they had been issued to hon. Members.

FEVER AT MALTA.

MR. STANLEY LEIGHTON: On behalf of the hon. and gallant Member for Linlithgow, I beg to ask the Secretary to the Admiralty whether he can inform the House of the number of officers (commissioned, subordinate, and warrant) and seamen of Her Majesty's Navy who have been sent to hospital, invalided, or died from the effects of fever at Malta, between the 1st of January and the 1st of July, 1894, both dates inclusive; and, in the event of the number of cases being in excess of the normal number in a similar period of time, to what the Naval Medical Authorities attribute this sickness?

THE SECRETARY TO THE ADMIRALTY (SIR U. KAY-SHUTTLEWORTH, Lancashire, Clitheroe): The exact numbers cannot be stated until two or three weeks hence without special inquiry from Malta. There have been numerous cases of sickness during the last few months at Malta, but, when the strength of the Naval Force is considered, not more than in some recent years. Neither the sewage of Valetta nor of the other towns in the vicinity is at present discharged into the Grand Harbour, neither has it been for many years past. With the object of getting rid of the old sewage deposits, extensive dredging operations have been carried on of late years in the most frequented parts of the harbour. Though many cases arise in Malta, much fever is brought there from the towns and harbours of the Eastern

Mediterranean, and the fever should be called Mediterranean rather than Malta fever.

MR. STANLEY LEIGHTON asked whether the right hon. Gentleman would give the Return when it came to hand in the course of two or three weeks?

*SIR U. KAY-SHUTTLEWORTH: I shall be happy then to answer a question.

THE NEW LOCAL GOVERNMENT BODIES.

MR. HENEAGE (Great Grimsby): I beg to ask the President of the Local Government Board when the necessary parish meetings to enable the parishioners to pass resolutions in favour of Parish Councils can be held in those parishes where the population is under 800 and over 100 persons according to the last census, and by whom such meeting can be legally summoned under the provisions of the Local Government Act of 1894?

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (MR. SHAW-LEFEVRE, Bradford, Central): The resolution in favour of a Parish Council in the case of a rural parish with a population between 100 and 300 is to be passed by the parish meeting of the parish. The first parish meeting in a parish will be convened by the Overseers, in accordance with Section 78 of the Act, at the time fixed for the election of Parish Councillors in the case of parishes in which under the Act a Parish Council is required to be constituted.

MR. HENEAGE: Will the right hon. Gentleman direct a circular to be issued with regard to this question? There is a strong feeling prevalent in the rural districts that a meeting can be called at any time they like in the summer.

MR. SHAW-LEFEVRE: I will consider that.

MR. HENEAGE: I beg to ask the President of the Local Government Board whether he has been advised that, under the provisions of the Local Government Act of 1894, no Chairman or member of a Parish Council who is not resident within the parish, although a duly elected member of the Parish Council under Section 8 of the Act, can attend a parish meeting called in accordance with the provisions of the Act to

discuss and confirm any resolution of the Parish Council?

MR. SHAW-LEFEVRE: I am advised that although the Chairman or a member of the Parish Council who is not a parochial elector is not entitled to attend a parish meeting as a parochial elector, there is nothing in the Act which would prevent his attending at the meeting for the purpose of giving information or explanation as to the action of the parish meeting when this is desired.

MR. HENEAGE: I beg to ask the President of the Local Government Board whether it is contemplated by the Local Government Board, in their circular of the 24th of March, 1894, that under Section 60 of "The Local Government Act, 1894," taken in connection with the Poor Law Amendment Act of 1868, parishes under 300 population may be deprived of their own parish Guardian and District Councillor, and may be grouped together, without their consent and against their wish, with adjoining parishes, notwithstanding Sub-section (2) of Section 24 of "The Local Government Act, 1894," and the declaration in Sub-section (1) of the first section?

MR. SHAW-LEFEVRE: The two processes of uniting parishes for the purpose of the election of Guardians and District Councillors and for the purpose of a Parish Council are entirely distinct. In the one case the County Council can provide for the union of two parishes without the consent of either. This is merely in extension of the power previously conferred on the Local Government Board. In the other case the consent of both parishes is necessary.

MR. HENEAGE: Is it seriously intended in the case of a parish fortunate enough to have a Parish Council of its own to deprive it of having an independent District Councillor?

MR. SHAW-LEFEVRE: Yes, that is so. Under the law as it stood the Local Government Board could unite the parishes, and the only change made last Session was to confer a like power on the County Council.

THE ANGLO-CONGOLESE AGREEMENT.

MR. J. W. LOWTHER (Cumberland, Penrith): I beg to ask the Under Secretary of State for Foreign Affairs on what day the Papers relating to the modification of the Anglo-Congolese

Agreement, extracts from which appeared in *The Times* and other newspapers on Monday, the 16th instant, were presented to Parliament?

SIR E. GREY: On Saturday the Papers were distributed.

MR. J. W. LOWTHER: That is not my question. On what day were the Papers presented?

SIR E. GREY: The Papers were presented on the 11th of June, but then further Correspondence supervened which would have made the presentation of the Papers at that time not only useless but misleading. It was therefore delayed until the Correspondence was completed.

MR. J. W. LOWTHER: Is it not a fact that on the 11th June none of the Despatches had either been written or received? Is it not the case that, out of the 12 Despatches contained in the Blue Book, only two were written before the 11th of June?

SIR E. GREY: Yes, and that is precisely the reason why the Papers were not distributed sooner.

DERELICTS AT SEA.

MR. MACDONA (Southwark, Rotherhithe): I beg to ask the President of the Board of Trade if he is aware that, since the formation at the Shipmasters' Society of the chart of derelicts, wreckage, &c., on 20th May last, upwards of 70 Reports have been received from captains, and marked on the chart, more than one-half of which are derelicts in the Atlantic and North Sea, lying in the track of our passenger steamers; if this be so, whether he will warn mariners leaving our ports of so great a danger?

MR. BRYCE: I have no knowledge of such entries as may have been made upon the chart referred to; but the hon. Member may be glad to know that immediate public notice of all derelicts reported to the Board of Trade, which are, or are likely to become, a danger to mariners, is and for some years past has been given through the medium of *Lloyd's* and *The Shipping and Mercantile Gazette*; and that, in addition to this, the "Monthly Summary of Notices to Mariners," which contains all these notices, is and for some years past has been distributed gratuitously by the Board of Trade to the masters of all vessels leaving the ports of the United Kingdom.

MR. MACDONA: Is it not the fact that only floating derelicts are mentioned, and that no information is given regarding vessels that have sunk?

MR. BRYCE: I believe information is given about all derelicts of which there are any indications.

PRECAUTIONS AGAINST CHOLERA.

MR. HENEAGE: I beg to ask the President of the Local Government Board what steps are being taken to keep the local seaport authorities informed from what foreign country or foreign ports cholera might be introduced into this country; and what assistance the Local Government Board propose to give to local seaport authorities to enable them to take the necessary steps to provide for an efficient system of medical inspection of vessels and to provide ships as cholera hospitals, with all the necessary requirements, in order to carry out the special orders of the Local Government Board for precautions against the introduction of cholera from abroad into this country?

MR. SHAW-LEFEVRE: In the case of every vessel coming from foreign ports the officers of Customs inquire as to cholera and other cases of infectious disease on board, and if a suspected case of cholera appears to have occurred they would at once communicate with the Medical Officer of Health of the Port. Notices appear in the daily press as to the countries and ports in which cholera is present, and if the Local Government Board had any information as to a serious outbreak of which there had been no public notice the Board would communicate with the Local Authorities. As regards the question as to assistance by the State, I can only refer to the replies which were given to similar questions last Session.

EVICTED FARMS IN IRELAND.

MR. T. W. RUSSELL (Tyrone, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether, seeing that the Evicted Tenants Commission gave the number of evicted farms that had been taken by new tenants up to the date of their report, he sees any reason why these figures should not be brought up to date?

MR. J. MORLEY: The report of the Evicted Tenants Commission con-

tains, at pages 18 and 21, returns of the number of farms relet to, or purchased by, new tenants, and also the number of tenants reinstated, by purchase or otherwise, on 17 specified estates which formed the subject of investigation by the Commission. This information was prepared from evidence obtained under the powers vested in the Commission, and I am willing, under the special circumstances, to have the returns which I have indicated brought down to the present date. The preparation of the revised returns will be undertaken without unnecessary delay, and I hope will be ready for the Committee stage of the Bill.

THE SOUTH WALES COLLIERY EXPLOSION.

MR. D. THOMAS (Merthyr Tydvil): I beg to ask the Secretary of State for the Home Department whether Mr. Boskill, the gentleman appointed to report to the Government on the colliery explosion at Cilfynydd, has any knowledge of the Welsh language or of Welsh mining, or any special qualification for the position?

MR. ASQUITH: As far as I know, Mr. Boskill, the gentleman referred to, does not know the Welsh language. Such knowledge does not appear to me to be a necessary qualification for counsel. Mr. Boskill's special qualifications are his familiarity with mining law and with the practice of mining, and the experience gained by him in previous inquiries of a similar character which he has conducted for the Government in other parts of the country with thoroughness and ability.

SUB-ASSISTANT INSPECTORS OF MINES.

MR. D. THOMAS: I beg to ask the Secretary of State for the Home Department whether he has recently received resolutions passed by colliery workmen at Merthyr and elsewhere in favour of the appointment of practical colliers as sub-assistant inspectors of mines; and whether, in view of the strong public demand for such appointments, he will favourably consider these resolutions?

MR. ASQUITH: No recent resolutions from colliery workmen at Merthyr and elsewhere have been received in favour of the appointment of practical colliers as sub-assistant inspectors of

mines. A new assistant inspector of mines has just been appointed for South Wales, and two more of practical experience as workmen are about to be appointed assistant inspectors for quarries and metalliferous mines. This, I am afraid, is as far as I can at present go in the direction suggested by my hon. Friend.

A TRADE DISPUTE IN SOUTH WALES.

MR. RANDELL (Glamorgan, Gower): I beg to ask the Secretary of State for the Home Department whether he is aware that, arising out of a tinplate trade dispute, the workpeople interested held a demonstration at Gorseinon, near Swansea, on the 26th June last, and, though orderly, were charged and batoned by a small body of police; that many persons who took no part in the proceedings were chased across the common and severely wounded by the police; that in the early morning of the following day some 18 or 20 tinplate workers were resting in a timber yard by permission of the proprietor, and whilst many of them were asleep, were attacked and bludgeoned over and through a barbed wire fencing which encloses the premises, and seriously injured by the police: can he state at whose instance, and by what authority, this attack was made; and whether a full inquiry, at which the injured persons may be represented and heard, will be made into the conduct of the police on the occasions referred to?

MR. ASQUITH: I am advised by telegram that the Chief Constable's Report has been despatched, but as I have not yet received it, I am afraid I must postpone my answer till Thursday.

INCOME TAX ASSESSMENT.

MR. FARQUHARSON (Dorset, W.): I beg to ask the Chancellor of the Exchequer whether he is aware that an occupier and owner of land in Essex, on appealing against his Income-tax assessment to the Surveyor of Taxes at Chelmsford, was granted a total remission of the tax under Schedules A and B, but that on his applying for a certificate to that effect, in order to take advantage of Section 8 of the Tithe Act, he was informed that there is no such thing as a certificate of having proved a loss, except when the tax has been paid with a view of its return; and whether, if such is the

case, he can say to whom application should be made in such a case for a certificate that the Schedule B assessment has been remitted?

THE CHANCELLOR OF THE EXCHEQUER (SIR W. HARCOURT, Derby): I believe the facts are as stated in the first part of the question. In cases where a certificate can be demanded under the Tithe Act, 1891, Section 8, Sub-section (5), it has to be given by "the Commissioners of Taxes," to whom application would be properly made (as I understand it was in the case referred to) through their clerk. But, in the instance to which the question refers, I am informed that the tithe did not amount to two-thirds of the Schedule B assessment. Consequently Clause 8 of the Tithe Act, 1891, does not apply at all.

MR. FARQUHARSON: I would ask the right hon. Gentleman whether it does not state on the Paper itself that Schedule B was entirely remitted?

SIR W. HARCOURT: I am afraid I cannot give a further answer. If the hon. Member wishes for further information I must ask him to put a question on the Paper.

COUNTY MAGISTRATES.

MR. DODD (Essex, Maldon): I beg to ask the Chancellor of the Exchequer whether he would bring in and endeavour to pass in the next Session of Parliament a Bill to enable fit persons to be appointed county magistrates who now are disqualified by reason of not having either an estate in land of the value of £100 a year, or a reversionary interest of the value of £300 a year, and not living in a house in the county assessed at as much as £100 a year to the House Duty; and whether the Lord Chancellor has found himself hampered in making, or advising the Crown as to making, appointments to the county benches, by reason of the persons otherwise suitable not having the above qualifications?

SIR W. HARCOURT: The answer to both my hon. and learned Friend's questions is in the affirmative.

THE POET LAUREATESHIP.

MR. D. THOMAS: I beg to ask the Chancellor of the Exchequer the reason for the delay in filling up the post of Poet Laureate; and when it is likely to be filled up?

MR. PAUL (Edinburgh, S.): Before the right hon. Gentleman answers that question, may I ask will the Government test the soundness of the hereditary principle by recommending the appointment of the present Lord Tennyson in succession to his father?

SIR W. HARCOURT: No, Sir; I think not. I have no desire to extend the hereditary principle. This is rather a delicate question, and amid conflicting claims I must shelter myself in the decent obscurity of a learned language and reply, *Poeta nascitur non fit*.

MR. W. RAWSON SHAW (Halifax): Arising out of the reply of the right hon. Gentleman, may I ask whether, in view of the general dissatisfaction in literary circles in consequence of the unprecedented delay of two years in filling up this ancient office, and the injustice to possible candidates of further delay, the right hon. Gentleman will communicate with the Prime Minister and represent to him the general feeling in favour of an early decision?

SIR W. HARCOURT: My hon. Friend must remember what happened to the shepherd Paris when he had to award the apple, and the misfortunes which befell him and his partner—*spretæ injuria formæ*.

SIR D. MACFARLANE (Argyll): Would the right hon. Gentleman propose to hold a limited competition, and ask the poets to send in their specimens?

[No answer was given.]

JABEZ BALFOUR.

SIR E. ASHMEAD-BARTLETT (Sheffield, Ecclesall): I beg to ask the Chancellor of the Exchequer whether it is a fact that the Argentine Courts have refused the extradition of Mr. Jabez Balfour; and whether it is the intention of the Government to institute proceedings against the persons, other than Mr. Jabez Balfour, who were responsible for the companies of the Liberator group?

SIR W. HARCOURT: As to the first part of this question, I have no information; and as to the second, I must refer the hon. Gentleman to the Attorney General.

SIR E. ASHMEAD-BARTLETT: I do not know whether the right hon. Gentleman is aware that I have asked the second question of the Attorney

General on more than one occasion before without being answered, and therefore I must, with all respect to the Chancellor of the Exchequer, press him to state whether it is or is not the intention of the Government to institute proceedings against those who are responsible for these great frauds?

SIR W. HARCOURT: I am afraid the hon. Gentleman will not extract from me information I do not possess.

ORDERS OF THE DAY.

FINANCE BILL.—(No. 303.)

THIRD READING.

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."—(*The Chancellor of the Exchequer*.)

*SIR J. LUBBOCK (London University): I rise, Sir, to move the rejection of the Bill. We have been told that political economy has been banished to Jupiter and Saturn, and I fear there is much truth in the statement. At any rate, in moving the rejection of this Bill, I shall endeavour to do so without any heat or party feeling, and rather as if I were an economist in Jupiter or Saturn looking down on this earth. Indeed, I can easily do so, for I have no expectation of succeeding to an estate, nor will the equalisation of the Death Duties affect me, as my interests are in the main not in real, but in personal property. In the first place, I will deal with the principle of graduation. The Chancellor of the Exchequer says that it was advocated by Adam Smith and John Stuart Mill. On the contrary, however, I am able to show that both those eminent authorities have condemned the proposals of the Government. In fact, I do not hesitate to say that graduation as proposed in this Bill has been condemned by the general consent of political economists and the sentiments of the civilised world. The Chancellor of the Exchequer indeed attempted to justify himself by the statement that wills are of modern origin, that previously the property went to the State, and that a similar course to that now proposed was

adopted in feudal times. I do not know that any precedent from barbarous races and feudal times would be very satisfactory, but, as a matter of fact, before the origin of wills property devolved not on the State, but on the family. The argument based on the precedent of feudal times is, I admit, in point, but I should have thought it was rather a warning against, than a reason for, the proposal. Now, Sir, what are the objections to graduation as proposed in this Bill? It is unjust; it tends to discourage thrift; it has no natural limits, and, being a tax on capital, it will ultimately fall on the poor. Firstly, then, as regards justice. M. Thiers truly says that for the State to make a graduated charge is as if a tradesman or hotel keeper had different prices for the same article. We know what we should think of such a person; but in future he will at any rate be able to quote the authority of the Chancellor of the Exchequer for doing so. The Chancellor of the Exchequer tells us that if a man leaves £100,000, £4 per cent. or £4,000 belongs to the State. We have only the authority of the right hon. Gentleman for the statement, but if 4 per cent. belongs to the State, why does he in some cases take 1 or 2 per cent. only, and in others 6, 7, or 8 per cent.? The country is asked to believe that this is because he wishes to tax the rich. But in that case the duty ought to be levied on the amount received. This, however, is not done. Ten men may receive the same sum, and yet each pay a different rate of duty. Or take another case mentioned in the Committee. A man left £260,000; in his will he bequeathed something over £200,000 in charities and to younger children, leaving for his eldest as residuary legatee about £50,000. Now the rate of duty on £260,000 is $6\frac{1}{2}$ per cent.; the unfortunate son would have to pay at that rate on the whole £260,000 which would amount to over 30 per cent. on his inheritance. Surely this is most unjust. Now, I come to the discouragement of thrift. It is obvious that if you say to a man that if he saves, you will make him pay not only in proportion to what he saves, but at a higher rate, you weaken materially the inducement to economy. This is especially the case when he is near any of the breaks in the scale. The right hon. Gentleman the

Leader of the Opposition put the case of a man who had £996,000, and said very justly that he would think twice before he would save another £5,000. In reply the Chancellor of the Exchequer said that—

"He had more confidence in human nature than to believe that in such a case as that mentioned by the right hon. Gentleman a man would be induced not to add to his capital merely because the Chancellor of the Exchequer would thereby get a hundred or two more of that money."

Now, Sir, that shows that the Chancellor of the Exchequer has not fully realised the effect of his own proposal, because if such a man save £5,000 the effect would be that his estate would have to pay not £100 or £200 more, but it would come under a higher scale, and have to pay £5,400. That is to say, the effect of his saving £5,000 would be that his heirs would get £400 less than if he had not saved the £5,000. As long as the Duty was 1 or 2 per cent. people did not think much about it; but when you raise it to 4, 6, or 8 per cent. the case is very different. It cannot then, I think, be doubted that the proposal will be a great discouragement to thrift. Professor Fawcett justly said, in his *Manual of Political Economy* that "progressive taxation would operate as a discouragement to prudence." My next objection is that there is no natural limit. You are on an inclined plane, and will not know where to stop. My next objection is that the tax being a tax on capital will ultimately fall on the poor. No one, I suppose, will deny that it is a tax on capital, and I may again quote Professor Fawcett that—

"Capital is the fund from which labour is remunerated. It thus becomes obvious that wages in the aggregate depend upon the ratio between capital and population."

That has been the general opinion of economists. On this point I may refer to a writer, who will, I am sure, carry great weight with the Government. Mr. Henry George, in his *Progress and Poverty* says—

"The theory that wages are fixed by the ratio between the number of labourers and the amount of capital devoted to the employment of labour . . . holds all but undisputed sway. It bears the endorsement of the very highest names among the cultivators of political economy. . . . It is taught in all or nearly all the great English and American Universities, and is laid down in the books. . . . It has been accepted by economists from the time of Adam Smith to the present day."

Mr. George is himself of a different opinion, but I quote him to show that in the opinion of all economists from Adam Smith to the present day this Estate Duty, though paid in the first instance by those who are comparatively rich, will really fall on the poor. But there is another way in which this legislation will injure the poor. M. Jules Simon—formerly Prime Minister of France—in a recent article against graduated taxation, justly says that—

“Security is a boon which the poor require as much or even more than the rich, and it will no longer exist in a country after so great a blow given to our Institution.”

Sir, these are wise words, and I repeat with regret that these proposals are a great blow to our Institutions—to that security on which the happiness and prosperity of us all, of poor as well as rich, so greatly depends. To my mind these are overwhelming objections to these proposals. There are others which do not belong to the essence of the proposal, but which seem quite gratuitously introduced. It is certainly a grievous hardship that property passing from husband to wife should pay the same Estate Duty as if it went to a stranger. Certainly it should be the policy of a wise statesman to unite as far as possible the interests of husband and wife. Again the Government propose not only to tax museums and collections of pictures (even in some cases if given for public purposes), but to use them to raise the rate on the rest of the estate. In collections of family pictures the case seems peculiarly hard. In the “School for Scandal,” old Moses encourages Charles Surface to sell his family portraits to meet an emergency, but the Chancellor of the Exchequer goes further and thinks it a good thing in itself to break up such collections. This is no doubt a matter of sentiment, and if hon. Members above the Gangway have no feeling on the subject I can only regret it. Again, scientific collections, though bringing in no income, are to pay Estate Duty. This is clearly a discouragement to Art and Science, and is, I submit, contrary to public policy. Again, it has been pointed out in many cases during the course of these Debates, especially by the hon. Member for the Isle of Wight, that executors will under this Bill have extraordinary difficulties—difficulties in estimating value, the im-

portance of which will be much greater than it is now—in presenting accounts; above all, in raising the funds to pay such heavy sums. All these, moreover, are aggravated by the drastic, and I must say tyrannical, powers given to the Commissioners; powers which I hope they will never intentionally exercise, but which nevertheless we ought not to confer upon them. Apart from the difficult task imposed upon executors, and from the amount levied, there will be cases of great hardship from the plans proposed. I can only mention one or two. Take for instance, the case of merchants and manufacturers. Merchants will be very hardly dealt with by the provision that in determining Estate Duty debts abroad are not deducted. The right hon. Gentleman the Member for Liverpool has told us that when cotton is purchased the price is payable in New York. Now in these cases the executor has to pay, in the first instance, without any deduction for the foreign debts. No doubt afterwards, months, perhaps even two or three years, he may claim back the amount overpaid—perhaps at great inconvenience—but is not entitled to any interest. Take, again, the case of our manufacturers. If their mills are freehold they may spread the payment over eight years; but if, as is generally the case, they are leasehold, the whole amount must be paid down, unless they make an appeal to the Commissioners, which certainly would not improve their credit. It would be easy to multiply instances of the hardships inflicted by the Bill, but I must pass on. Sir, no one can doubt that this Bill will be injurious in many ways, and I very much doubt whether the Government will receive the amount they expect under it. Rightly or wrongly, it is regarded as unjust, as being in the words of Thiers *un vrai pillage*, or in those of John Stuart Mills a “form of robbery,” and when people are smarting under the sense of injustice, and have the highest scientific authority for considering that they are being robbed, depend upon it they will not submit if they can help it. I know, for instance, of one case in which a man had left over £250,000 to charities. He is now distributing it. That, of course, will benefit the charities, but the State will get no Estate Duty and will lose over £30,000 of Legacy Duty which it would otherwise have re-

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ceived. I understand there are already cases in which fathers are already distributing some of their shares among their children. But there is a second way in which the Chancellor will lose, which has not, so far as I know, yet been referred to in these Debates. Let me ask the House to consider how these provisions will affect the Income Tax. It is admitted on all hands that the Estate Duty is a tax on capital. A man dies, and the State takes—I will not take an extreme case, but we will say—7 per cent. of his property. In that case his heir is so much the poorer. If you had not taken it the heir would have paid the same Income Tax on it as the deceased; but as you have taken it he will have a smaller income, and will therefore pay less Income Tax. The Estate Duty has been compared to deferred Income Tax. The analogy does not seem to me satisfactory. I should rather compare it to anticipated Income Tax. I may be told that Income Tax is only 8d. in the £1. Yes; but you take your Estate Duty only once; your Income Tax comes in every year; in a few years it would mount up, and in this way also the Estate Duty will be no clear gain, but a certain, I might say a considerable part of what you take in Estate Duty you will lose in Income Tax. You are in fact to this extent killing the golden goose. I for one have very great confidence in the judgment of the House of Commons, when it has heard the arguments. But, Sir, that has not been the case in the present instance. I make no complaint; it is impossible for hon. Gentlemen to be always in their places, but I feel sure I shall not be contradicted when I say that on Amendment after Amendment the Government would have been defeated if the question had been decided by those who listened to the Debate. Another strong reason for delay is the very doubtful meaning of many provisions in the Bill. We have heard, evening after evening, the learned Attorney and Solicitor General contending with other eminent lawyers in the House, not merely as to what the law should be, but as to what the meaning of the Bill really is, and we must all have observed, except in one or two cases, that no other lawyer in the House has supported the views expressed by Government. Why, Sir, on Report the Government them-

selves put down over 100 drafting Amendments. Now, we often speak lightly of drafting Amendments. They pass easily in Committee. But they are most important. The Courts of Law must decide, not according to what we mean, but to what we say. They are bound by the letter of the Act. In other countries the course of legislation is very different. In France, for instance, the Legislature only lays down general principles. It is the Conseil d'Etat—not an elective body at all, but a Court of permanent officials, which reduces the general propositions to rules, and is careful to permit no cases of individual injustice. There, then, the exact wording is not so material, here it is of great importance. But even here, in any but a finance Bill, drafting Amendments can be made in the other House. This being a finance Bill they have no opportunity of doing so. No one can doubt that if there were any opportunity the Government themselves would make many other Amendments, and the only way we can enable them to do so, is by postponing the Bill, so that they may, if they see fit, re-introduce it next year. I am not finding any fault with either the very able draftsmen or with the learned law officials. But with such a Bill as this, dealing with such complex and difficult subjects, mistakes are unavoidable, and it is impossible to doubt that if the Bill passes in its present form it will lead to endless litigation and great injustice. Passing on to the equalisation of the Death Duties on real and personal property, the reasons which have led wise statesmen to make the difference are certainly very cogent. I will only allude to the greater facility of sale, to the numerous calls on the holders of real property in support of this, and pass on to the main reason—namely, to the fact that rates fall mainly on real property. The whole of the Death Duties only bring in £11,000,000, to which, moreover, real property contributes a substantial part, while rates now amount to £30,000,000, so that if we consider not only national, but, as in fairness we must, local burdens also, real property is already overburdened. Perhaps it may be said that local burdens should be equalised also, but I believe that those who have looked into the matter agree that this is impracticable. The only way in which the difficulty can

be met is by national subventions in aid of rates. This Bill will greatly strengthen those who wish these national grants to be largely increased. You will indeed make their claim from this point of view almost irresistible. I have hitherto opposed these grants, believing that they lead to extravagance; but if this Bill becomes law, I do not see how the claim can be resisted. The only other section of the Bill to which I will refer is that relating to the National Debt. With one trifling exception it has been the custom for years and years, when any change has been made in the National Debt, to do so in a separate Bill. The only real exception was more than 100 years ago, by Mr. Pitt, and he had to go back more than another century to find any precedent.

SIR W. HARCOURT: There are other precedents.

*SIR J. LUBBOCK: I have not been able to find any other precedent. I do not believe the Chancellor of the Exchequer will be able to produce one. We shall see. The right hon. Gentleman the Member for Midlothian always dealt with this matter in a separate Bill. The course adopted by Mr. Pitt was denounced by Charles James Fox and the Liberal Party, because it rendered it more easy to tamper with the subject, and deprived the House of Commons of reasonable opportunities for consideration. The right hon. Gentleman the Member for Midlothian always acted on this view, and it has been reserved for the present Government to sacrifice a principle of great importance for a temporary convenience. I do not, however, wonder that they wished to avoid discussion on this unfortunate proposal. This clause alone would, on the principles laid down by the Chancellor of the Exchequer himself, justify the rejection of the Bill. It is greatly to be regretted that in a time of peace the Government should tamper with the Sinking Fund. Adam Smith justly said that the practice of borrowing "has gradually enfeebled every nation that has adopted it," and he proposed that one-third of the Revenue should be devoted to repayment of debt. Mr. Cobden quotes with approbation the saying of an American statesman that the reduction of debt gave more strength to a nation than 100 ships of the line ready for battle, or 100,000 armed soldiers. It

is not going too far to say that if the nation does not destroy the Debt, the Debt will destroy the nation. But there is another statesman whom I should like to quote. He said—

"To touch the Sinking Fund in time of peace in order to meet expenditure which we regard as indispensable for the defence of the country would be a fatal and cowardly error, unworthy of a great nation. I pray the Committee to consider the vital consequences, alike in peace and in war, of this great, perhaps the greatest of all national reserves, a reserve not less valuable, even more valuable than the Naval and Military Reserves. In peace times our financial credit depends upon the confidence that is felt that the nation is ready and willing to make all the sacrifices necessary to meet its needs and obligations; that its policy is not to increase, but to diminish the Public Debt. . . . In times of war this fund becomes a priceless resource—a resource not less powerful than ships, or guns, or men. . . . You could not do a more unwise or spendthrift act than to dissipate in peace this great reserve. It is your war-chest. Let nothing induce us to shuffle our responsibilities off our own shoulders, and foist them on our successors."

Sir, these are the words of the Chancellor of the Exchequer himself. It is not I who call these proposals of the Chancellor of the Exchequer a "fatal and cowardly error." That is his own condemnation of his own proposals. It is not I who say that we cannot do "a more unwise or spendthrift act than in a time of peace to dissipate the Sinking Fund." That is what the Chancellor of the Exchequer says. It is not I who say that "we have no right to shuffle our obligations off our own shoulders and foist them on our successors." That is what the Chancellor of the Exchequer says. But who is shuffling our obligations off our own shoulders and foisting them on our successors? The Chancellor of the Exchequer himself. I adopt his words; I implore the House—

"To consider the vital consequence of this great reserve—a reserve not less valuable, even more valuable than the Naval and Military Reserves. Our financial credit depends upon the confidence that the nation is ready to make all the sacrifices necessary to meet its needs and obligations, that its policy is not to increase, but to diminish the Public Debt."

That is admirable wisdom, eloquently stated. It was loudly cheered from the Government Benches, and I hope they will act on their opinion. Sir, I thank the House for the courtesy with which they have listened to me. I beg to move the rejection of this Bill, because amongst other reasons:—(1) It will introduce

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innumerable difficulties in winding up estates; (2) because the system of Death Duties proposed have been condemned by the general voice of political economists as unjust; (3) because taxes on capital tend to discourage thrift and lower wages; (4) because it is undesirable to tax so heavily property passing to widows and children; and, last, not least, because it tampers with the Sinking Fund, which, in the words of the Chancellor of the Exchequer, is "an unwise and spendthrift act" and weakens a reserve which, to quote the right hon. Gentleman once more, is "even more valuable to the country than our Naval and Military Reserves," and on the maintenance of which "our financial credit as a nation depends."

*MR. GIBSON BOWLES (Lynn Regis) seconded the Motion for the rejection of the Bill. He said, that after exactly three months and one day of debate on this measure—a Debate unexampled in the case of a Budget Bill, but absolutely necessitated by the character of this Bill—the House must be quite fatigued of it, and glad that the end had come. But if the House remembered the extraordinary complications of the Bill, and the enormous number of questions embodied in it, the wonder would be that the Debate had lasted so short a time, and not that it had continued so long. It had been recognised by a financial authority, second only to the Chancellor of the Exchequer—namely, the right hon. Gentleman the Member for Midlothian, that any attempt to deal with the Death Duties must necessarily occupy the whole of the Session; and, as a matter of fact, an attempt to deal with one of the Death Duties had been considered adequate work for one Session. But here they had proposals to deal with the Probate Duty, the Legacy Duty, the Succession Duty, Estate Duty, Account Duty, and the temporary Death Duties imposed by the late Chancellor of the Exchequer, all of which were thrown into the melting pot, and out of them arose this new Estate Duty that they were now considering. Instead of taking three months of one Session a Bill like this should have taken nine months of three or four Sessions. He regretted so many matters had been introduced into the Bill, because he felt they had not been adequately discussed,

but he regretted still more the spirit in which this matter had been introduced into the House. It had not been introduced in the spirit of a statesman, nor even in the spirit of an expert tax collector, but, he regretted to say, in the spirit of hatred, malice, and all uncharitableness, which some of the most advanced Radicals of this day believed to represent true policy. The Chancellor of the Exchequer had not gone about the matter as he would have done in order to collect a tax, but he had gone about it in order to satisfy those of his followers who felt envious of men wealthier than themselves, hateful of the possessors of land, and hateful, above all, of the men who did not always vote on the same side of politics. It could not be said that the Opposition had treated this Bill unfairly, for never was there a Bill at once more complex or more closely debated and more pertinently dealt with than this Bill had been. He considered the Chancellor of the Exchequer would have got all he wanted by imposing a surtax of 10 per cent. on existing duties, and such a proposal would only have involved three or four days' debate instead of three months, a course which he himself (Mr. Bowles) had proposed at the outset in a letter published in the Press. The right hon. Gentleman would not listen to that practical suggestion, and instead of getting £1,000,000, as he thus would have done out of the Death Duties this year, his belief was that the Chancellor of the Exchequer would now get nothing at all. How little consideration was given to the framing of the Bill, and how greatly it required amendment could be shown by a few figures. As the Bill was introduced the 22 clauses relating to the English portion of the Death Duties consisted of 523 lines. There were omitted by the Government 26 lines, so that the Bill consisted then of 497 lines. There were then added by Amendment 157 new lines in Committee, and subsequently on Report 203 lines; consequently to the 497 original lines there had been added 360, so that the Bill as it stood at this moment was to the extent of nearly half entirely composed of new matter, while the important, impondering, Clause 8 had been abandoned. Of this new matter page after page had been put down by the Government, showing that when they originally framed the Bill they

did not know their own mind. A Bill more grossly and shamefully prepared had never been put before the House, and never had a draftsman done his duty so badly. The fault, however, was not so much with the draftsman as with the Chancellor of the Exchequer. So difficult was the duty he had to perform, so completely absurd were the principles that had to be put into the Bill, that he scarcely wondered the draftsman should have performed his task even so ill as he had done. The first principle of taxation was to go where the money was—to “stick to the bush with the berries on.” Another principle was to follow the property into the hands of the man who had it—to go so far as your arm could reach and no farther. These principles of taxation had been pursued since taxation was first invented, but from both of them the Chancellor of the Exchequer had departed. The right hon. Gentleman had elected to go not to the man who had the property now, but to the man who had had it; he went to foreign countries where the arm of the tax collector could not reach, and he turned his attention not to the beneficiary to whom he should go for taxation, but entirely to the dead man who no longer possessed the property. Like a modern Orpheus, the Chancellor of the Exchequer descended to the realms of Pluto, with his lyre of graduation in his hand, clutched his deceased Eurydice, and, like Orpheus again, he would find he would lose her before he brought her into light. There was a special reason why the Death Duties should not be brought before the world for discussion. The system of collection of these duties had worked admirably hitherto, because the duties had been most carefully concealed from the public gaze, and had worked like a mole in the ground, out of sight of all but the victims as they came up singly for taxation. But now the Chancellor of the Exchequer had exposed them to public view, and not only did so, but put an end to the arrangement which experience had found to work so well, put before the whole of the possible taxpayers of the country the probability that they would be mulcted in these large sums, and thus suggested the temptation to discover the means of evasion and avoidance of these duties. There were two principles upon

which this Bill rested, aggregation and graduation. How was the principle of aggregation carried out? It had been explained over and over again that the principle of the Bill was this: When a man died they were to take the whole of his property and make it into one heap. The big heaps were to be charged at a higher, and the little heaps at a lower rate, but the whole justification for the differential system of taxation lay in the fact that one aggregation was made of the whole of the property a man had left. According to the Bill, however, instead of there being only one there were no fewer than 19 different aggregations or segregations, or segregations of segregations. A man might leave one of each of the 19 classes of property. Suppose 17 of the classes represented £1,000 each, and two of them consisted of an annuity of £25, and an Indian pension which would make up together £1,000. The result would be that the man would have left £18,000, and the first suggested aggregation would be on £18,000, but they then had to deduct from this ten of those kinds of property which were either to be aggregated separately as estates by themselves or were to be exempted from the Estate Duty altogether. In other words, from the £18,000 they would have to deduct £9,000, so that the aggregation would only amount to half the man's property. Take now the case of a man whose property consisted of only one kind not subject to any of these separate aggregations or segregations, but aggregated entirely under the first aggregation. That man paid on £18,000. So that they taxed one man according to one principle and another according to another principle, not because he had more property but because his property was of a different kind. As soon as they found that they had made 19 aggregations, it would be seen that the Government had cut away from their feet the only ground on which they could rely for imposing on these properties a graduated and increasing duty. Yet these systems of aggregation and segregation had been adopted with a view of what the right hon. Gentleman the Secretary for India called “equality of sacrifice.” This equality of sacrifice would make one man pay on £18,000 and another with the same amount of property on £9,000. The greatest flaw in the calculations

of the Government had reference to the foreigner. The hon. Member for Carnarvonshire told them that he had invested half his property in foreign securities. Well, suppose the hon. Member was a millionaire, and that he had invested half-a-million in foreign securities. Mark what happened in the name of equality of sacrifice and simplification. The half-a-million that the hon. Member had abroad was aggregated with the half-a-million at home, and there was to pay 8 per cent. on a million, or £80,000. But the hon. Member for Carnarvonshire was a shrewd person. He had ascertained that to make his foreign half-a-million safe all he had to do was to put it in the hands of a foreign executor. If the hon. Member had not done it already he would probably do it now. The effect would be that the Chancellor of the Exchequer would not be able to get a halfpenny on the half-a-million abroad, but he would come upon the English executor and levy the whole of the duty on him and the half-a-million at home.

An hon. MEMBER: Of course he does.

MR. GIBSON BOWLES: "Of course he does," said an hon. Member, who presumably came from the northern half of the country. The result was that on the British part of the estate the duty would not be 8 per cent. but 16 per cent., because the Government had been so foolish as to try to get duty on the other half-a-million which was beyond their reach. That was equality of sacrifice and simplification! Then, take the man whose whole million was in this country. His successor would only pay 8 per cent., while the unfortunate successor of the hon. Member for the Carnarvon Boroughs would pay 16 per cent., because the Chancellor of the Exchequer in his search for taxes had committed a blunder which had never entered into the mind of any tax collector before this year. He came now to the probable effects of the Bill. The right hon. Gentleman the Chancellor of the Exchequer three months ago reminded them that Probate Duty was now payable only on personalty, or by the Account Duty on voluntary settlements, and he proposed to impose it on realty, and also on property settled for valuable consideration, which practically meant a pro-

perty under marriage settlement. He also increased the Succession Duty by charging it on principal value, wherever the fee simple passed, and the right hon. Gentleman had rather given them to understand that this was a tremendous matter. Yet he had since had to avow that all the increase of duty he expected to get under this head was £100,000, which was an infinitesimal part of the £10,000,000 the Death Duties were to produce. He (Mr. Gibson Bowles) had always held that when a man got the fee simple of an estate he should pay on the value of the estate, but at the same time he had always said that the amount which would be realised from the change would be a mere trifle, and his words were now proved to be accurate. It was a mere drop in the bucket. But what did the right hon. Gentleman hope to get out of the whole scheme? From personalty, which now paid £8,910,000, the right hon. Gentleman hoped to get £2,000,000 more, and from realty, which now produced £1,150,000, he hoped to get £1,350,000 more. Mark this: they took the swollen money bags and on them they charged an extra 23 per cent., and then they took the shrunken and shrinking acres and charged upon them not an extra 23, but an extra 117 per cent.—as to which every practical man would remark, "Don't you wish you may get it?" The right hon. Gentleman, in short, hoped to get these tremendous increases of from £3,500,000 to £4,000,000 by taxing realty, which could not pay, and by taxing personalty of the larger kind, which, he undertook to say, would not pay. And now he came to the most interesting part of the matter. The Chancellor of the Exchequer had been very chary of figures—more so even than the Commissioners of Inland Revenue—and in spite of his (Mr. Bowles's) heart-rending appeals had always consistently refused to give any data on which they could judge whether the right hon. Gentleman's calculation of £3,500,000 or £4,000,000 was correct, and therefore Members had had to speculate upon the possible results for themselves. He had worked out tables for himself with great trouble and sacrifice of time, but as the figures were, like those of the Chancellor of the Exchequer, founded on imperfect data and on expectation that might prove

to be ill-founded—though he was sure of the general drift of them—he would not give the details. There were five heads of expected increase; and the first was aggregation, which was professedly carried out by the Bill, but, as he had shown, was not really carried out. By the system of aggregation or of charging property altogether instead of separately, he did not believe the Chancellor of the Exchequer would get a farthing. By the next head of increase, which was graduation, he should get a great deal; but he begged the House to note this remarkable fact about the duty: that although it professed to extend over all property passed by death, if the figures were examined it would be seen that there was no increase of duty on estates up to £50,000. That seemed a bold thing to say; but if anyone had carefully worked out the figures as he had, he must have been driven to the same conclusion. He believed, as a matter of fact, that on such estates rather less duty would be levied than was collected at present in consequence of the exemptions that were allowed. No doubt in regard to estates of over £50,000 the system of graduation came in with such strength and increases of duty were so rapid that a large amount of extra duty should be levied if all went right. He had, therefore, allowed a large amount for the increase under the head of graduation, but he would not give the Chancellor of the Exchequer the details of his calculations, because the right hon. Gentleman had himself persistently refused to give his own figures to the House. He (Mr. Bowles) would give the general result. The extension of Probate Duty to real estate and marriage settlements was the third head of increase, which might represent a considerable amount, but not so much as graduation. The fourth head was the increase of duty on property in the United Kingdom belonging to foreigners—and on paper this increase was quite stupendous. For instance, at present if a foreigner domiciled abroad died leaving £500,000 in the United Kingdom, his widow paid £20,000. Under the Bill the widow would pay £35,000. So that on paper the increase in the duty on that class of property was very great; but when the duties came to be realised he did not believe that they would amount to any-

thing at all. With regard to the fifth, and last, head, there would also be a great increase—on paper. They were attempting for the first time to put Probate Duty on property not within the jurisdiction of an English Court. He referred to the Estate Duty on property situated outside the United Kingdom. That property was something quite immense. Few of them realised the vast amount of English property abroad—very small in France, strange to say; very large in America and in the Colonies. Out of the £200,000,000 passing annually by death his estimate was that there was £40,000,000 abroad. The Chancellor of the Exchequer proposed to tax that property, but he (Mr. Bowles) did not think anything would be got out of it. At any rate, he had allowed nothing for it in his calculation. Now, if the right hon. Gentleman got all he expected, his (Mr. Bowles's) estimate of the total increase was larger than that of the Chancellor of the Exchequer; but he would not get it. But the domiciled foreigner would take his property away, and the Chancellor of the Exchequer would not get anything out of the property of persons domiciled here situated out of the United Kingdom. He (Mr. Bowles) allowed, therefore, nothing for these; but on the second and third heads of increase his calculation was that there might be realised under the Bill in England £2,500,000. Those were the total increases of duty that he thought might reasonably be expected to be got. What had they to set against this? He thought the House would be surprised when it came to see the sacrifices that the Chancellor of the Exchequer had made. He did not think the right hon. Gentleman quite realised them himself. He had avowed that the Bill diminished the yield of the Succession Duty more than one-half. The yield would, indeed, be far less than half, because the right hon. Gentleman had not taken into account the various diminutions he had effected in Succession Duty as it still existed. How was real estate to be valued under the Bill? At the moment of the death of the person who left it, that was to say, it was to be valued at its value at a forced sale at a given moment. A forced sale took 10 per cent. at least off everything. Then there was the further limitation of the value by the proviso that it was never to

exceed 25 times the annual value as set down in Schedule A of the Income Tax, with all the deductions allowed in Schedule A *plus* all the other deductions allowed by the Succession Duty Act. Finally, from the sum thus reached, they were to make a deduction of $12\frac{1}{2}$ per cent. in the case of land, and $16\frac{1}{4}$ in the case of houses, as a general recognition of the extra burdens that land and houses bore. That might be averaged at 15 per cent. In addition to that they had to deduct 5 per cent. for management, or a total of 20 per cent., which, with the 10 per cent. on the forced sale, would amount to 30 per cent. So that they had to take 30 per cent. off the value before they began to charge the property. That would have an enormous effect in reducing the amount of Succession Duty that would come into the Exchequer, which was the first great sacrifice of duty. Where the estate was of moderate value and the successor's life was fairly young, instead of getting more duty out of real estate they would get less. Where the life was very old, or the estate very large, then alone they might get more. As to the abolition of the 1 per cent. Legacy Duty, he did not reckon that it would produce more than a loss of £200,000 at the outside, which was the second sacrifice. Then there was a great sacrifice made in respect of estates under £500. The duty levied now was £10, but this was to be reduced to 5s. He was not saying whether this was right or wrong, but it was a serious sacrifice of taxation, because it must be remembered that the value of these properties was immense. Their amount was at least £7,000,000. Then he came to estates between £500 and £1,000, and here, too, a large sacrifice of duty was made, as these estates formed 69 per cent. of the whole estates on which Death Duties were charged and amounted to some £17,000,000. The duty on joint annuities of £25 was also sacrificed, also that on Indian pensions (in the case of widow and child), also that on specified property consisting of articles of historic or national interest left to Public Bodies, and that on advowsons. Again, the colonial deductions were very important indeed, and the sacrifice of duty on them would be very large, so large that he believed that, instead of getting more out of property situated abroad,

they would, in the end, get far less. Finally, there were the exemptions as to settlement. Here the loss to the Exchequer would be tremendous, and he doubted whether the Chancellor of the Exchequer or any of the enthusiastic Radicals who advised him had the slightest notion of what the amount would be. He would give a case within his own knowledge. There were four lives where a large property was involved held now by a gentleman of 75. His next successor was 72 and unmarried; the next 71, and the fourth 66. In a few years they would all die, and under the system now existing duty would be payable at, say, 5 per cent. on each of the four deaths, or in all 20 per cent. But under this Bill the property, being settled, would pay under the same circumstances only one 5 per cent. *plus* 1 per cent.—6 per cent. Had the Chancellor of the Exchequer considered what he would lose under the new system? He (Mr. Bowles) very much doubted it. As a final result, then, he reckoned that from the £2,500,000, which he estimated would be the increase of the Budget, deductions to the amount of £1,800,000 must be made on account of these sacrifices. That left a total net increase which would be derived from the proposals of the Chancellor of the Exchequer of £700,000 instead of $3\frac{1}{2}$ or 4 millions. He was aware the Chancellor of the Exchequer might say this was speculation, but so were the right hon. Gentleman's own estimates. And now how were they to get this £700,000? They were going to get it by levying £2,500,000 of extra taxation on no more than 500 people—that was to say, on those 500 whose estates were over £50,000, while leaving the remaining 50,000 estates untouched or even diminished in charge. Mark the danger of this! Surely the House would see the enormous oppression, difficulty, and danger of levying a greatly increased taxation from a few people. It had always been recognised that if they imposed duties which were too high, or imposed them on too few people, they ran the risk of not getting them paid. The course taken by the Chancellor of the Exchequer in this Bill was, therefore, eminently calculated to lead to evasion—that was, unlawful avoidance—or avoidance—that was, lawful evasion—the same lawful evasion

which the gentleman practised on Hounslow Heath when he put his watch in his boot because he was afraid of the highwayman. He did not know that anyone ever blamed the gentleman who successfully carried his watch across the heath by that device, neither should he blame those gentlemen whom it was proposed to tax out of existence if they found and adopted some decent means of avoiding these duties. There were two palpable methods of evasion: One would be to convert property into securities payable to bearer, which could be done even with Consols, which thus became like so many £5 notes, which could be passed from hand to hand, requiring no registration and leaving no more trace of themselves than sovereigns. With public attention called to this duty, and these 500 persons challenged to protect their own property as far as they could from the rapacity of the Chancellor of the Exchequer, did the House not think that the idea would occur to them to turn a deal of their property into securities payable to bearer, and to hand them over, perhaps on their death-bed, to their heirs, in that way depriving the Chancellor of the Exchequer of property he would never be able to tax? That was one method of evasion which would, he feared, be largely adopted. It had been largely practised in the past, and would probably be still more extensively used in the future. Another plan by which the payment of this unjust tax could be evaded would be to insure with American offices. As hon. Members were well aware, there had of late years been an extraordinary development of the system of insurance with American offices. He believed that that course would be still more largely resorted to, for a man could insure his life for a lump sum and at his death the office would pay it over in cash to his heirs as directed in the policy, and the Chancellor of the Exchequer would not get one penny piece. Those two methods he called evasion, and he did not approve of them, but there were also half-a-dozen equally simple methods of avoidance of which he could not disapprove—avoidance in conformity with the law of this Bill which could be practised in a perfectly honourable and straightforward manner under the very nose of the Chancellor of the Exchequer,

Mr. Gibson Bowles

and he could not prevent it. First, the payment of the tax might be avoided by a *bonâ fide* transfer *inter vivos*, which could not be set aside, provided it took place 12 months before the death of the donor. He was able to state from personal knowledge that during the last three months this method of transferring property had been made use of very largely in the fear of this Bill; in fact, he himself knew that fully two millions of money had changed hands in this way. He thought it was probably a good thing for aged fathers to pass during their lifetime some portion of their property to their youthful or middle-aged sons, but the Chancellor of the Exchequer would certainly lose enormously if this method of passing on property were adopted generally. Such transfers might have a good effect socially and morally, but they would prove deadly for the Exchequer. A second method of avoidance would be to buy land situated out of the United Kingdom. This was not liable to the payment of Succession Duty, nor, therefore, under the Bill, to the new Estate Duty or to aggregation, and by this means a millionaire might deprive the Exchequer of every farthing of duty on his estate. Then he came to a third method of avoidance. Supposing that a man wished to leave money legacies to persons in this country, all he would have to do would be to charge the land he held in foreign countries or the colonies with the payment of the legacies. These, too, not being liable to Legacy Duty, were not liable under the Bill to the new Estate Duty or to aggregation. The land would be sold and the money handed over to the legatees in cash, and again the Chancellor of the Exchequer would not get a farthing of duty. There was also a fourth method of avoidance. Personalty situate abroad, say in the colonies, might be settled by deed executed in the colonies with colonial trustees. Again there would be an escape from liability to Succession or Legacy Duty, and consequently under the Bill from the new Estate Duties, and the Chancellor of the Exchequer would not get a farthing. The Chancellor of the Exchequer had said repeatedly that he was opposed to settlements, and it was curious to see how, in spite of his express desire to restrict rather than favour settlements, the result of the Bill would be to drive more property

than ever into settlement, with considerable loss to the Exchequer in consequence of the fifth method of, not complete but partial, avoidance thereby effected as already adverted to, which would be much encouraged by this Bill. Now, as to the effect upon this year's finances, the Chancellor of the Exchequer had stated that he expected to realise a million of money from the Death Duties this year. He had himself pointed out the fallacy of that hope, and, although he had during the Debates given it as his opinion that the Chancellor of the Exchequer might realise £700,000, he himself felt sure that the figure was too high, and that most of it would be swallowed up by the means of evasion and avoidance to which he had referred. And the main result of that ill-considered, bad, and foolish scheme of taxation would be that in future years the Chancellor of the Exchequer would get less instead of additional duties. As to this year, he pointed out that the Bill was now to come into operation on August 1 instead of June 1, as was originally intended, and he very much doubted, therefore, whether the Chancellor of the Exchequer would find, at the end of the financial year, that the Revenue had been increased from this source to the amount of even half-a-million. Probably £300,000 would be nearer the mark. Of course, he was aware that many people did, as a matter of fact, pay the duties before the date legally fixed, because they wished to distribute the property and get rid of their liability, but there were also a great many who would not wish to do it, and, if his anticipations were realised, he was at a loss to understand how the Chancellor of the Exchequer proposed to make up the difference between his estimate and what would be the actual receipts from these increased duties during the current financial year. Why they felt so indignant with the main provisions of the Bill was because it aimed at taxing most oppressively and unjustly one very small class of the community. It was intended to oppress one class alone, and it was rankly dishonest. The whole principle of the Bill stunk in their nostrils. He could well surmise what the effect of the Bill would be when it came to be put into practice at the Inland Revenue Office. He knew there were many able officials in that office,

but he doubted if even they would be able to work this extraordinarily complicated machine in the place of the one so ruthlessly destroyed by the Chancellor of the Exchequer. The mere thought of the lengthy and intolerably complex forms that would have to be filled up in every case was enough to convince him how impracticable the whole proposal was, and pointed more clearly than anything else perhaps to the immense increase in the working expenses of the department. That would have to be taken into account when estimating the net returns. There would also be so many difficulties and objections to be met that he very much doubted whether the duties would ever be properly collected. Indeed he strongly suspected that that view was beginning to pervade the Department itself. They had done their best on his side of the House to improve the wretched Bill, and they were content now that the Chancellor of the Exchequer should take this wreck and remnant, this thing of shreds and patches, and do with it as he pleased. Let the right hon. Gentleman go on imposing a penalty of £100 on the honest executor because he refused to commit perjury; let him go on imposing a tax on the colonies despite their protests; let him endeavour to do the same thing in regard to foreign countries, thereby laying the foundation for future quarrels. The right hon. Gentleman had launched his ship; they had endeavoured to point out the holes in the vessel; they had shown that she could not float, and could never carry her cargo of taxation; whoever sat on that Bench next year would have to re-caulk and dismantle her, and re-rig her from truck to keelson. It was extremely doubtful if the damage now being done to that delicate machine of Death Duty taxation could ever be repaired now that the Chancellor of the Exchequer had gone through it with his democratic sledge-hammer. The Chancellor of the Exchequer might console himself with the constant plaudits of hon. Members who sat behind him, but he could assure the right hon. Gentleman that the Bill would be received by those who saw it at work as it was now by those who were conversant with the principles of true finance neither with plaudits nor with curses, but with universal shouts of inextinguishable laughter.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Sir J. Lubbock.*)

Question proposed, "That the word 'now' stand part of the Question."

*MR. EVERETT (Suffolk, Woodbridge) said, the hon. Member for Lynn Regis had referred to the extraordinary length to which the Debates had been carried, and certainly no hon. Member had better reason to be accepted as an authority on that point, for no one had contributed more amply to the length of the Debates. He was only doing the hon. Member, however, justice when he said that in the many speeches he had made, the height, depth, width, and length of knowledge he had shown in regard to the whole realm of the subject of the Death Duties had been exceedingly great, and if he were now disposed to employ his leisure hours in editing his speeches they would form a valuable compendium of information on the subject, lit up by much humour; the only thing that would militate against the sale of the volume would be its enormous bulk. He did not intend to follow the hon. Member into the Delphian prophecies which he had uttered. He felt that he would soon be out of his depth if he attempted to do so, and were to enter into all the intricate points of argument by which the hon. Member had attempted to justify those prophecies. But he had been struck whilst listening to the hon. Member with the thought that if the hon. Member was right and there was to be only a very small addition to the receipts of the Exchequer by virtue of this Bill, there surely had been on the part of hon. Gentlemen opposite a great deal of cry about very little wool, and it was certainly strange that hon. Members had fought so much against this Bill if it would take so little out of their pockets. Of course all must admit that this Finance Bill had a painful side to it. They knew that it was to increase taxation, and nobody liked to be taxed. Whatever the nature of his property, no man liked to give up a part of that property in taxes. It was especially hard to be called upon to pay more at the present time, when the majority of people found their incomes dwindling and the value of their property vanishing away. It was to be lamented

that in this great and rich country, when they were enjoying a period of peace, the necessity had arisen for an expenditure in excess of the income which their ordinary taxation had brought in. Looking at the circumstances of the case in this respect, his greatest hope in regard to this particular Bill was that it would have a wholesome effect in promoting economy in the future. He ventured, indeed, to submit that they would that night, in reading the Bill a third time, be setting their seal to a good work. They would, at any rate, have passed a thoroughly popular Budget—a Budget based on common sense—a Budget based on true principles which stood out clearly and plainly, and commended themselves to the judgment of everybody—namely, that to the needs of the State those that were rich should pay the most, and that all wealth, whether it was derived from real or from personal property should pay in equal proportions. If a man was fortunate enough to inherit, say, £50,000 worth of real property, why should he not pay the same as if he inherited property of another kind? On these two points he was sure, from what he had heard through the country, that, with the exception of a few very rich people, everyone commended this Budget. Some, indeed, even of the richest people, had expressed their perfect willingness to pay their share of the burdens of the country out of the fortunes with which through many happy circumstances they had become possessed. He believed that they would find that the Chancellor of the Exchequer had succeeded in doing what before he introduced this Bill would have been thought an impossible task, and that was to make a popular Budget when a deficiency had to be met and taxation increased. The reason of the Chancellor's success was that while he had got to raise more money, he had so adjusted the taxes that the poor among the people would actually pay less than they had been paying. Persons whose incomes were under £500 a year would make actually smaller contributions than before. He wished, however, more especially to look at the Budget from an agricultural point of view. By far the most numerous class in the country districts were the agricultural labourers; and they all knew that

neither aggregation nor graduation would trouble the agricultural labourers in the very least. These Death Duties would not cause them any nightmares, nor would they have any occasion to conceive schemes of evasion or schemes of insurance to provide against what they would be called upon to pay. In regard to their savings—for happily in their better circumstances now many of them were able to save money—the exemptions which had been attached to this Budget would put them in a better position than before. Those hon. Members who represented largely agricultural labourers could go to them with pleasure and tell them that this was a Budget which imposed nothing in the way of taxation on them, but which, if they were fortunate enough to possess savings, would in respect to those savings give them relief in the Death Duties. But with regard to the agricultural labourers, he could imagine some hon. Gentleman saying—"But there is the Beer Duty, the addition of 6d. per barrel." An hon. Member who addressed the House last night referred to small or cottage brewers. He, however, was glad to know that this Budget would not add to the taxation of the cottagers' beer, at least in the county from which he came. Owing to what the Member for Midlothian did in 1880 in sweeping away the Malt Tax, and owing to what the present Chancellor of the Exchequer did when he was Chancellor of the Exchequer in 1886, in sweeping away the cottage brewing licence, the cottager in Suffolk was in the position of being able to brew his beer free of any taxation whatever. He had his barley and malt at the prime cost of them, and brewed from them his own beer. No tax-gatherer troubled him. Herejoiced in a privilege which labourers in this country had not had for a century before the present generation. He was only sorry that the labourers in other counties did not avail themselves more of this privilege. Though he was not a beer-drinker himself, he agreed that to those who worked hard in the fields there was no drink more wholesome, as there was none better appreciated by them, than home-brewed beer. But next they came to the second most numerous class in the agricultural districts—the farmers. To them this

Budget was a Budget of relief. It placed them in a position superior to any they had been in since the Income Tax was first imposed. For many years the Scotch and the Irish farmers had been in a position of favour in regard to taxation as compared with the English farmers. But now this inequality was done away with. The net result of what they were doing in this Budget was that every farmer whose rent and tithe came to £480 a year and under would be exempt altogether from Income Tax. The Chancellor of the Exchequer, by the alterations he had made in Schedule B of the Income Tax, had in fact conferred on the farmers of this country a boon unprecedented since the Income Tax had been instituted. Finally, they came to the owners of land; and he submitted that to the owners of land this Budget was, in one sense, a Budget of relief. The Chancellor of the Exchequer would allow them in future to deduct 12½ per cent. from gross rent. It was in the past a very unjust thing to charge under Schedule A on the gross amount which was only paid into the owner's pocket to be paid away directly. The 12½ per cent. which would now be allowed would, in many cases, represent the difference between the gross and the net. This would be a considerable relief, and it had the additional merit that it would be given every year, and given to them while they were alive; and, speaking for himself, he preferred a present annual relief to a relief given to his estate after he was dead, which could do him no good whatever. He could not but think that there would be a further advantage, and that was that the landowners would not any longer stand in a position of privilege. It could no longer be said that they had certain exemptions in Imperial taxation, and were, therefore, not entitled to be dealt with on terms of equality in other matters. They would now be in a better position to fight the battle with regard to local rates. There was no doubt a good deal to be said as to the way in which the burden of local rates fell upon real property, and the ground was now cleared for the discussion of that subject. The Opposition had consumed an enormous amount of time in debating this measure in its different stages, and he could not say but what there had been abundant material

for debate in the propositions which they had brought forward; but a good deal of the discussion had been of what he might call the red herring type. Hon. Members opposite had been trailing the red herring across the scent in order to divert them from what was their real object. The real object of the Bill, as the Chancellor of the Exchequer announced to them when he introduced the Budget, was that the money which he wanted should come from where the money was, and the estate left by the dead man was to be the object to which he directed his attention. The discussions which had taken place had been devised to draw their minds away from that issue. One other thing had struck him about the opposition to this Bill. It was the curious combination of the wealthy brewer and the poverty-stricken landowner. They had had Dives and Lazarus working together, both of them desiring the crumbs that fell from John Bull's table, and both praying that his tax-collecting dogs should not be permitted to touch their sores. Speaking as an agricultural Member, he said, under all the circumstances, they ought all of them to receive the Chancellor of the Exchequer's proposal with thankfulness.

MR. W. LONG (Liverpool, West Derby) said, he was sure the House must have listened with great interest to the speech of the hon. Member who had just sat down. He put the case of the Chancellor of the Exchequer in so happy a manner that the impression left upon their minds was that, notwithstanding that the Chancellor of the Exchequer had been able to raise a large sum of money for Imperial purposes, no one had been taxed in an undue degree, but, on the contrary, everybody had been relieved from taxation. He did not dispute the title of the right hon. Gentleman to represent an agricultural constituency, but it was a remarkable thing that if the labourers and tenant farmers and owners had been relieved of burdens they had hitherto borne that with regard at all events to the vast bulk of them no impression had been left on their minds that any such service had been rendered to them. A very contrary and a very deep and permanent impression had been left upon their minds that so far from having been relieved from taxation their position would be made infinitely worse

by the passing of this Budget than it was at present. He would like to point out that in the concessions which had been granted by the Chancellor of the Exchequer—for which he tendered him his thanks—he had had some regard to the exigencies and hardships of their situation. He could not go further, and say with the right hon. Gentleman opposite that they ought to be grateful because they had received a greater relief than burden laid upon them. He must say that he had listened with amusement to the commencement and to the end of the hon. Member's speech. The hon. Member told them at the commencement of his speech that it was a painful thing that taxation should be laid upon anybody. Then he said he hoped this burden would have the effect of promoting economy. No doubt the hon. Gentleman hoped that, but he (Mr. Long) did not think his wish would be realised. And then at the end of his speech the hon. Member had to say that taxation was levied on a limited number of persons in order to relieve the vast number of the people. Would it promote economy to say that the larger number should call the tune and that a limited number should pay the piper? The principle of the Budget might be a just and wise one. He thought it was an unwise and unjust one; but it might be wise and just and capable of being supported by argument and good reason. But he maintained, whatever effect it might have, they were altogether changing the system under which taxes had been hitherto raised, and that whether it would or would not have the effect of shifting the burden of taxation on to the shoulders of those better able to bear it, most unquestionably it could not have the effect of impressing upon the minds of the vast majority of the people of this country the necessity of economy.

MR. EVERETT explained that what he meant was that expenditure did not come from the bottom upwards, but from the top.

MR. W. LONG, continuing, said, he had in his mind the recollection of a speech made by the Chancellor of the Exchequer, when he dwelt with great force upon the demands for money made by Representatives in that House, and pointed out that such a course must lead

to great difficulties in the future, and that year by year the national expenditure was going on because they were seeking to relieve first one person and then another from the burdens which they had hitherto borne. The practice had been to make use of the Public Exchequer to lighten these burdens which fell with special severity upon the poorer class of the community. He submitted that whatever effect the Budget might have, it would not have the effect, to which the hon. Gentleman attached so much importance, of inducing a spirit of economy in the land. With regard to the remark that whoever else might feel the burden of this taxation the agricultural labourer would not, he would have a word to say later. He had listened to the speech of the right hon. Baronet the Member for London University with the greatest possible interest, and he rejoiced that he came to a conclusion much the same as that of the hon. Gentleman opposite—namely, that whatever else resulted, as they had endeavoured to put real and personal property on an equal footing, the next step must be the readjustment of the burdens of local taxation, with the object of putting the two classes of property on an equality for that purpose. He hoped that when next year came, and some effort was made in that direction, they would not only have the sympathetic words of the hon. Gentleman, but his assistance by speech and vote, the assistance of all those who with him represented agricultural districts, and who were entitled to speak for those who bore these large burdens at this time. In that case some good might be got out of this Budget. The object of this great democratic Budget, as he understood it, was to put real and personal property on the same footing. Those of them who had contended against these principles and had endeavoured to establish the fact that the Government were doing an injustice to a certain class of real property, had been confronted with the difficulty that the true definition of realty and personalty did not cover the various classes of property that the terms designated. They had been confronted with the difficulty in the first instance that in the case of two properties of the same character—houses in the City of London, one being freehold and one leasehold—although the

freehold house might be of the greater value and the larger and the more valuable property, yet, under the system of taxation affecting realty and personalty, the freehold house, under the Death Duties, had enjoyed a greater advantage as compared with leasehold property. That was an injustice, and he did not defend it. If they could get at the actual value of property, and if they adopted the principle which had been suggested by hon. Members opposite—namely, the taxation of those who were able to pay and who had surpluses which were over and above the amount which they required for subsistence—then he admitted their principle would be good. But he contended that the difficulty they had to contend with arose out of the fact that there was no classification of the different sorts of property in this country. Instead of dividing them arbitrarily into realty and personalty, they ought to be classed according as they were or were not remunerative. He would not go into the wide field which had been occupied by the hon. Member for Lynn Regis (Mr. Gibson Bowles), who had made a most important speech to the House, and whose ability in dealing with the matter he much admired. He was glad to hear the observations of the hon. Gentleman opposite with regard to the Amendments which had been moved by the Opposition, but he did not know why he should have described some of them as “red herrings,” because he did not think that any Amendment had been moved with the object of diverting attention from the main principles of the Bill, but only for the purpose of diminishing what they conceived to be its injurious tendencies. He was glad to hear the hon. Gentleman say that in his opinion the Debates had not been unduly prolonged, and that the vast importance of the subject had justified the discussion which to a large extent had been carried on from that quarter of the House. The hon. Gentleman began his speech in words with which he had the greatest sympathy. He said it was a very bad time indeed to cast extra taxation upon any class in the country, especially upon the class which he represented in that House and with which he was closely connected. He could not believe that the Chancellor of the Exchequer had realised how grave

was the condition of owners of that class of real property, and how horrified they were that at a time when they were more seriously affected than for many years past, when the difficulties surrounding them had become greater than they ever were, and when they were confronted with problems which were insuperable, and did not know how to meet the obligations placed upon them—when these difficulties were confronting them in a greater and more painful degree than ever before, that was the moment chosen to cast upon that kind of property an increased burden, how to meet which it was impossible to say. When the Chancellor of the Exchequer brought in his Budget he ventured to put to him a case of persons who would be unfairly hit by his proposals. Nothing that had been done had met that particular case. He quite understood that it was useless to present it again to the House now. They had reached what the right hon. Gentleman described last night as Private View Day, and he presumed there was no more touching up to be done. Although they might bewail their misfortune, and might be tempted to recapitulate some points in respect to which they thought injustice would be done, he understood the time had gone when they could hope to effect any change. The hon. Member for Sudbury said labourers would not feel these proposals, and that their savings were not to be aggregated or graduated, and from the speech of the hon. Member for Lynn Regis he gathered that in any case the results would be very small, in which case, of course, they would be grateful to the Chancellor of the Exchequer, and would apologise for any harshness used in criticism of his proposals. But he was afraid the result must be to cast upon owners of property a burden which it was impossible that they should meet, and that those who would suffer were the limited owners of real estate, who had to the best of their power made provision for the payment of the Death Duties as they at present stood, and who have endeavoured to leave their successors in a better position than they were themselves, and more able to carry on the duties and responsibilities of ownership of land. Those persons found themselves in the difficulty that if the property was settled there was no means of meeting

the duty except by saving out of income or life insurance. To talk about saving to an owner of agricultural land was either a confession of absolute ignorance of his condition or a cruel sarcasm. The difficulty for them, so far from saving, was to maintain as best they could the duties and responsibilities of the properties which belong to them, and to keep together the homes in which they lived, which they had to do without any thought of luxury or personal pleasure or amusements. The only thing they could do was to still further decrease their personal expenditure, and how they were going to do that he did not know, because he was sure they had been compelled a long time since to put an end to any expense which could come under the head of luxury, or amusement, or personal enjoyment. In the vast majority of cases the landlords were obliged to live in a much more simple style than hon. Gentlemen opposite generally suppose. They had had to cut down their expenses to the lowest possible degree, and he did not see what form any further economy could take except a man lessened the number of hands employed about the estate. There was no doubt that with regard to the majority of agricultural properties in this country the owners ask themselves not how few men they could do with, but how could they find work to pay the wages of the agricultural labourers wanting employment in the neighbourhood. They had been employing labour under great stress and difficulty, and when they were hardly able to make both ends meet. The House must be sure that owners of land, if they realise what their duty was to their property and to their successors, must find some means of paying the duty. Under the existing duties, even, it was the case that owners found it impossible to live in their own homes, and had to shut them up and go abroad. If that was so at present, what would be the case in the future, when the duty would be three or four times more than now? He had heard sneers cast at the agricultural interest, and it had been suggested by the Chancellor of the Exchequer himself that they were actuated by self-interest and selfish motives in endeavouring to press their views upon the House. He ventured to say that no charge of that

Mr. W. Long

kind could be reasonably brought against them. They were not thinking of their own protection, but of the protection of their children and those who came after them. And he thought they were abundantly justified in standing up for rights and interests which were superior to their own. He said, therefore, that the statement that they had been actuated by personal motives was one that was unworthy and could not be sustained. He could not say how much he regretted that the Chancellor of the Exchequer had refused, either in Committee or in Report, to introduce an Amendment which would have excluded from aggregation a sum set apart, either by way of life insurance or in any other way, for payment of the Estate Duty. Such an exemption would have been an act of justice to those who showed by their action that they were desirous of relieving those who came after them from the burden of having to find the money to pay this tax. The position of those with whose case he had tried to deal—namely, the owners of agricultural realty—was a very hard one, and he ventured to say that if these Death Duties were to be permanent they would inflict great injury upon the agricultural interest of this country. On many and many an estate the greatest possible difficulty would be found in providing these Death Duties. He did not know what the Inland Revenue was going to do in some cases which would constantly arise where the land could not produce it. Hon. Gentlemen opposite laughed—he had heard them do so frequently—at the idea of land not being saleable. They said, “It is not that it is not saleable, but that you will not sell it except at your own price. If you were prepared to take a fair price it would be sold.” He could assure hon. Gentlemen opposite that if they believed that they had not got to the bottom of the agricultural difficulty by any means. He could assure hon. Gentlemen that there was plenty of land in his county and in adjoining counties that the owners could not sell, not only for the price they would like to receive or the price their predecessors gave for it, but for one-third of that price. People could not be tempted to buy land. Land carried with it the great difficulty that while in many cases, unfortunately, there were no occupying tenants, in cases where

there were such tenants the purchaser had to run the risk of having to recoup them for expenditure they had incurred upon their farms. In addition to that they had to face the necessity of having to provide money for the occupation of the farms when the tenants quitted them. The consequence was that, although people with money to invest might look at property of this kind, in his own county he did not believe that a thousand acres of agricultural land had changed hands during the last five years. What were the owners of this class of property to do? They could not sell. They had the greatest difficulty in keeping the land and in keeping their affairs going. Yet the Government said they were equalising the conditions between real and personal estate and putting land on an equality with other property as regarded taxation. In regard to personal property, a man had no difficulty in estimating the value of that which he left behind him. He could tell by the simplest calculation the amount he would have to set apart to pay the Death Duty, and when the time came, by the payment of a small commission, sell out a portion of his property. But that could not be done in the case of real estate. You could not effect the sale of land by sending a telegram to your broker or a letter to your banker. Money could not be raised except by mortgage at a very heavy rate of interest. The Government said they were putting land on an equality with other classes of property. He ventured to say they were attempting an impossible task. They were endeavouring to equalise two things which could not be made equal. They could not put agricultural land and personal estate upon anything like the same footing when the conditions were so various and so varying, and the contention of the Chancellor of the Exchequer that this burden would be confined to the rich, who would be able to bear it, would be found to be unsound. The labourers would have to bear their share of the burden, and they would feel it quite as much as anyone. He only hoped that these anticipations might turn out to be unduly depressed. He asked the House to believe that in taking the course they had taken on this Bill the Members of the Opposition had been actuated by honest and sincere motives.

*THE SECRETARY OF STATE FOR INDIA (Mr. H. H. FOWLER, Wolverhampton, E.): I am sure I only re-echo the general feeling of the House when I say that on this side of the House, and I am sure on the other, the credit which the hon. Gentleman claims in regard to motive, will be readily and freely accorded him. There is no necessity in discussions of this sort to impute motives to either side, or to say that hon. Members are moved by principles other than those which should influence them in defending their legitimate rights. But I would point out a difficulty the Government has experienced during the whole of this Debate, and of which, to-night, we have had a conspicuous illustration. The difficulty is in deciding exactly on what line it is that we are to defend the Bill. There have been two speeches delivered to-night, one by an hon. Member who has been justly complimented for the yeoman service he has rendered the Opposition throughout these Debates, and for his great mastery of all the details and intricacies of this legislation, and the other by an hon. Member whom we all recognise as an able representative of the agricultural interest. These two hon. Members do not agree. The hon. Member for King's Lynn (Mr. Bowles) has drawn a picture of the Bill and its financial defects which should be most encouraging to the Opposition. According to the hon. Gentleman, under the most favourable conditions, the Chancellor of the Exchequer will not get more than £700,000 by his new Death Duties, and he added that there is a strong probability that he will not realise that sum, but that the revision of the Death Duties will mean a less revenue from that source than under present circumstances. But the hon. Member for Liverpool (Mr. Long) has said the Budget will impose burdens which the agricultural interests are unable to bear, and will affect most injuriously not only the owners of land but the occupiers and the labourers employed by them. Which argument are we to fight—which are we to take as the serious one—that the Bill will produce nothing at all, or that it will create an intolerable burden which ought not to be imposed on any class of the community? We are asked by the right hon. Gentleman the Member for the University of London to reject this Bill as a whole.

The Motion is that the Bill be read a second time this day six months. Therefore it is impossible to confine the discussion of this measure—or rather we can hardly call it a discussion, and I would, therefore, say this review of the measure—to one particular branch of the subject. The whole scheme is before the House. It has been before the House a long time. It has been discussed with great power, eloquence, ingenuity, and may I also say to great weariness. The condition of the House shows that it is now thoroughly tired of the Debate. But when a Motion is made that their scheme should be rejected the Government are entitled, in a sentence or two, to ask the House to look upon the scheme as a whole, remembering that we are face to face with a deficit, and remembering also that the Chancellor of the Exchequer has to provide for what he very well knows will be an increasing expenditure in the course of the next few years. The scheme of the Chancellor of the Exchequer is twofold. He proposes a great relief from taxation and he proposes a very considerable addition to taxation. The House ought not to sever the consideration of one branch from the other, but should look both to the relief given as well as to the taxation imposed. I think one of the most attractive features of the Budget, and one which will be long remembered in connection with my right hon. Friend's financial career, is the relief which the Budget gives to a very large and deserving class of the community. The right hon. Gentleman the Member for St. George's made some remarks on this question which afford a complete justification for the proposals of the present Government. The right hon. Gentleman, when he brought in his first Budget as the Chancellor of the Exchequer, said—

"The direction in which I now look to give relief is a class upon which I have always looked as being heavily taxed as compared with the rest of the community—I mean the class just above the working class, the class—if it is not offensive to say so—that begins to wear a black coat, the class which has a very hard battle to fight, and which has demands made upon it in many respects severer than those falling upon the ordinary working man. I refer to men with incomes ranging from £150 to £400 a year, men of the poorer trading class, small tradesmen, and clerks, men who generally live in houses between £20 and £60 a year."

The Chancellor of the Exchequer has

given broad and substantial relief to that class; he has put on the Statute Book a principle of the application of which it is to be hoped Parliament has not heard the last word; I hope that this will not be the final settlement on those lines. It is the class on which the right hon. Gentleman opposite says local and Imperial taxation falls severely. The Income Tax they pay means to them the deprivation, if not of some luxury, at all events of some pleasure, some advantage to health, or some personal rest. The sacrifice of nearly a million will give relief under Schedule D to 350,000 taxpayers, and to a great many more who were not in Schedule D—widows and others with small incomes. It will give relief not only to the class described in the quotation I have read, but also to the great bulk of the clergy, Established and Non-conformist, to the smaller professional men, and to men and women engaged in education; all these will benefit by the enlarged exemption from Income Tax. Relief is also afforded to landowners in respect of their assessments under Schedule A. The right hon. Gentleman the Member for Midlothian—and his successors—has admitted that the present assessment under Schedule A is unfair. As that is now taken away, the Chancellor of the Exchequer is entitled to the recognition he has received from hon. Gentlemen opposite for making an allowance of 12½ per cent. in one case and 16 2-3rds per cent. in another. I have made some calculations which indicates, as the hon. Member for Woodbridge has shown, the relief which these adjustments of Income Tax will afford to the small farmer and even to the farmer who does not come under that description. Up to the present time no one has found fault with these remissions of taxation. I am not going to waste the time of the House by discussing the Chancellor of the Exchequer's additions to taxation. He has added 6d. to the barrel of beer and 6d. to the gallon of spirits—or something like ¼d. per bottle. The Debate on that subject may be re-opened, but I think the sense of the House was so clearly expressed on it in Committee that I need not trouble Members by going into it again. The other new duty which the right hon. Gentleman has imposed is in connection with the Death Duties, and the principles he has advocated have been

challenged both from this side of the House and from the other. The principle the Chancellor of the Exchequer lays down, I take it, is equality of taxation between all classes of property—equality of liability and also equality in respect of the different modes of distribution, whether by will made to take effect on the death, or by settlement which takes effect *inter vivos*; and he added a third principle, graduation of duty in respect of amount. I congratulate my right hon. Friend upon having reached the end of one of the longest controversies on financial matters of modern times. It is 99 years since a practically identical proposal was first made in the House of Commons. Mr. Pitt's original proposal was to tax landed property on the same lines as personal property; but in the Bill, as amended in Committee, it took the form of the present Succession Duty—namely, the levying of a tax upon the value of a life interest. In those days Bills were introduced in manuscript, so that the difference between the original draft and the measure as altered in Committee cannot well be observed. Some things of historical interest occurred in the Debate on that Bill which have been reproduced on the present occasion. The Budget was brought in on December 7th, 1795. The Bill was brought in on April 21st, but the Debate did not take place until the Bill went into Committee. It was read a second time on April 22nd, the day after its introduction. On May 5th a Motion to postpone the Committee for three months was defeated by 40, which was Mr. Pitt's largest majority on the Bill, and he was then in the plenitude of his power. That was all he could obtain for the first proposal to tax real property. One of the most powerful opponents of the proposal to tax real property was the representative of the great house of Cavendish, Lord George Cavendish, and he anticipated the arguments which have been used in the present Debates. He said this tax

"would tend to equalise all property and would operate as a confiscation of all the great landed estates of the country for the use of the Government."

Mr. Pitt's majority on that occasion went down to 29. On the Motion that the Bill be now read a third time, the Government were defeated by two. The word "now" having been struck

out of the Bill, Mr. Pitt proposed to add "to-morrow morning," for which Mr. Sheridan moved to substitute "this day three months." This was defeated by one; on the Main Question that the Bill be read a third time there was a tie; and the Speaker, as I believe is the custom with Speakers on such occasions, gave his vote in favour of the House having another opportunity of considering the matter. Mr. Pitt withdrew the Bill, and for 60 years no change was made in regard to these duties. That was the first attempt made to equalise real and personal property. At that time the value of personal property was estimated by Mr. Pitt at 600 millions and real property at 700 millions. Nothing was done until 1853, and it is the scheme then adopted that is to give way to the scheme now proposed. The historic review is interesting because of the analogy between the arguments used then and now. I now come to the arguments that have been used against the scheme as now proposed—the scheme of equalisation between realty and personalty, of making no difference between property, settled and unsettled, and of graduation. The hon. Gentleman who has just sat down made out a case—a very strong one no doubt—why the tax should not be imposed on landed property. His argument was depression of landed interests.

MR. W. LONG said, he had referred to the existing condition of agriculture as a special reason why it should not be hit hard now.

*MR. H. H. FOWLER: I submit with some confidence that the first reason urged—namely, the present condition of the landed interest, is not a conclusive argument, because the duty will be levied only on value, whatever the value is; and if the value of a property is nothing no duty will be levied. If a property is mortgaged and has decreased in value the duty will be levied only on the margin of value that remains. The speech I made with reference to the local burdens on agricultural land has been somewhat misunderstood. The object of the inquiry I instituted was to ascertain facts, and the accuracy of the facts and figures I gave have not been challenged. I am aware that there is difference of opinion as to the lessons to be drawn from them, and I am ready to admit that on this question the door is

not closed; but two wrongs do not make a right. No doubt we have a condition of affairs in which landed property is exempt from Imperial taxation which it ought to bear, and personal property is exempt from local taxation which it ought to bear. I will not say that the time has not come when there should be inquiry as to the real incidence of local taxation, and how that taxation—which I can assure the House is not a decreasing quantity, and which I hope will in many cases continue to increase—should be borne by the two descriptions of property. It would be a great injustice to put that on any particular property. I am talking of houses quite as much as of land. That has nothing to do with the present issue. We are now attempting to adjust equally and fairly the liability of every description of property, no matter of what character it may be, to pay its fair share of Imperial taxation. There have been objections taken to the mode of payment and assessment, but the Amendment of the Leader of the Opposition, which has been accepted by the Chancellor of the Exchequer, removes the objections with regard to the mode of assessment. The value of real property has been taken at its forced saleable value at the time of the death, and the tax is subject to a limitation that the forced value is not to exceed 25 years' purchase. I think every one will agree that the Chancellor of the Exchequer has acted very liberally in that matter. [MR. A. J. BALFOUR: Hear, hear.] Then the extension of the period of payment is that it shall reach to eight years, eight instalments. The first will not fall due for 12 months and no interest will be charged. I think that is a fair alleviation of the burden. Therefore I do not think the fears of the hon. Gentleman will be realised under this modified system of payment. I pass now to the equality of distribution. Has any reason been shown why settled property should not pay the same as other property? Much of the settled property is not land, but houses and money. I do not see why a difference should be made because a father gives his daughter money by deed instead of by will; I cannot see why there should be a large exemption in one case. Then there is the question of aggregation. Aggregation is to me simple addition. We are going

Mr. H. H. Fowler

to tax a man according to what he has got. We do that now. We add up his Stocks and his shares and we find the total. The terrible return-forms to which the hon. Member referred are already in existence in every Government office. A man has property abroad, say invested in America; but he is not on that account to escape payment to the English Government in respect of the whole of his property. Aggregation is simply the adding up of what a man has got. The hon. Baronet the Member for the University of London has declared that graduation is a violation of all sound principles of political economy, and he denied that graduation had the authority of Mill. I happen to have an extract from Mill's *Political Economy*, and I will read it the House. It is as follows:—

"I conceive that inheritances and legacies, exceeding a certain amount, are highly proper subjects for taxation; and that the revenue from them should be as great as it can be made without giving rise to evasions, by donation during life or concealment of property, such as it would be impossible adequately to check. The principle of graduation (as it is called), that is, of levying a larger percentage on a larger sum, though its application to general taxation would be in my opinion objectionable, seems to me both just and expedient as applied to Legacy and Inheritance Duties."

*SIR J. LUBBOCK: That is exactly what I said. We endeavoured to induce the Government to put the duty on legacies, but they refused.

MR. H. H. FOWLER: I have read the quotation, and the House will put its own interpretation upon it. We believe in the principle that men should pay in proportion to the aggregation of their income, and we do not believe we are inflicting any injustice in endeavouring to remove the existing inequality. Most of the figures which have been used on this subject seem to be based on the assumption that everybody is going to die worth £1,000,000. I must call attention to this fact, that up to £25,000 personal property there is no additional taxation whatever. Up to £50,000 the additional amount charged is £250. This is the scheme which is to break up families and destroy all motives for thrift. Between £50,000 and £100,000 the additional payment will be £1,500. I do not consider that there is any injustice in putting that taxation on persons who are possessed of that amount of property. It is only just that they should pay, seeing that those who

have smaller incomes pay much larger amounts in proportion. At present the yield from the Legacy and Succession Duty is £10,060,000, including realty and personalty, and of this total the latter pays £8,910,000. We believe that when this Bill comes into full operation we shall add three and a-half millions to the 10 millions, making in round figures 13 millions sterling. Of this increase, personalty will pay £2,130,000, and realty £1,320,000. It is this which is to scatter families, to turn Dukes into paupers, scatter works of art broadcast from Christie's, and reduce the stately splendour of great houses. My answer to all this is that I do not believe a word of it. I do not believe the increase on the very wealthy people will be felt, but where it will fall heavily is upon the moderate landowner with a moderate rental. No one denied that. The right hon. Gentleman the Member for the University of London has given us a most vivid picture of the business man working away to save all that he can, but so soon as he had saved £999,000 he began spending right and left so as not to let his property get above a £1,000,000. The class of person to whom I have alluded is a very different one to that which possesses £999,000. The right hon. Gentleman said that the effect of this Bill is to tax the rich and spare the poor.

*SIR J. LUBBOCK: That is exactly what I said you do not do. To effect that the duty should have been put on the legacy each man inherited.

*MR. H. H. FOWLER: I am sorry if I have misunderstood the hon. Gentleman. The object that the Government had when framing the Bill was not excessively to tax the poor to spare the rich. We propose to relieve the Income Tax-payer of moderate means, to remove a grievance in respect of the taxation of land, to put a moderate addition on indirect taxation, to redress the inequality between real and personal property, and to make the broad shoulders bear the big burdens.

SIR J. LUBBOCK said, he wished to explain that, whatever motive might have actuated the framers of the Bill, their *modus operandi* was not such as would have the effect of sparing the poor while it taxed the rich.

*SIR G. CHESNEY (Oxford) wished to explain briefly the reasons that would

determine his vote. They had just heard that the main object of the Bill was to equalise the burdens of taxation. They were told that the additional taxation placed upon the rich was really very trifling to the individual, although in the aggregate it amounted to a great deal. His sympathies were entirely in favour of the view that the rich should contribute more than the poor proportionately, because the sacrifice they were called upon to make in most cases was less, and that it often happened that the rich got their money very easily, or even in some cases by what might be termed accident. But it seemed to him that the whole tone of the Bill was based upon the false assumption that there was an inherent opposition between capital and labour—that if anybody became rich someone else must become poor. The assumption, too, was often made that the useful man to the community was the man that freely spent his money. He submitted that that was not so, and that no one in that way did any real good to the community at all. The man that did good was the man that saved his money and invested it wisely in commercial enterprises and large companies, that gave employment to others of the community and increased the wealth of the nation as a whole. If the population did not increase, then no doubt the necessity for increasing the wealth of the nation would not exist, and no harm followed if everyone spent all he got; but unless the national wealth increased in proportion to the growing population, the country would become year by year poorer and poorer. Under the Bill the man who applied his money to useful purposes was the very man whose property it was proposed specially to attack. No form of taxation was defensible, no matter how good the object might be, if it were in itself unjust. Everybody knew that the poor man would not get off any more because the burden of the rich was increased. The days of economy were passed. However much the Revenue was increased the Government would next year ask again for more. It seemed to him that the Bill was in its character an ill-natured Bill, as was most of the legislation that came from the other side of the House. Those Members opposite whom he had the honour to count among his friends he

Sir G. Chesney

always found individually reasonable and sympathetic, but collectively all the milk of human kindness appeared to be squeezed out of them. When they came to act in the aggregate, they seemed, instead of trying to alter the Bill so as to assist their fellow-countrymen, to be determined to do all in their power to oppress them. In spite of all this, no doubt the aggregation of property would still go on; but he considered, for the reasons he had stated, that the principle of taxation now brought forward was altogether opposed to the sound principles of finance. It was, in his opinion, an unwise measure, and economically unsound, and he should therefore record his vote against the Bill.

COLONEL KENYON - SLANEY (Shropshire, Newport) said, that the Secretary of State for India was hardly fair in the use he had made of the quotation from John Stuart Mill, though he admitted that the right hon. Gentleman had quoted the passage pretty correctly. The essence of the quotation was that John Stuart Mill thought the principle of graduation unobjectionable as applied to Legacy and Succession Duty. But the House had heard over and over again that the main principle of the Bill was to treat the Death Duties as if they were postponed or deferred Income Tax.

MR. H. H. FOWLER: No; never.

COLONEL KENYON-SLANEY said, that the observation, if it did not fall from the right hon. Gentleman, fell from the Chancellor of the Exchequer. What Mill said was—

"To tax the larger incomes at a higher percentage than the smaller is to lay a tax on industry and economy; to impose a penalty on people for having worked harder and saved more than their neighbours. It is partial taxation, which is a mild form of robbery. A just and wise legislation would scrupulously abstain from opposing obstacles to the acquisition of even the largest fortune by honest exertion."

When this Bill was brought in by the Chancellor of the Exchequer it was heralded by its supporters as a new departure, as an epoch-making Budget, which would raise money easily, simply, and equitably, without oppression, without disturbance of trade; and, indeed, that the Bill would scarcely need any Amendment or discussion. How did the Bill fulfil those predictions? It had been so amended and altered that

scarcely anything of the original Bill remained. He maintained that from an agricultural point of view they had everything to lose and nothing to gain by the Government proposals, because agriculture was affected harmfully and injuriously. If the liquor propositions were carried into effect he maintained that the farmers would feel the effects of them through the price of barley. The Government were on the side of impure as opposed to pure beer, and this fact was not likely to bring them any political capital in the country. The owners of land would also have to pay from three to five times more taxation than before, a fact which might react on the whole national life of the country. The Bill would take away that continuity of possession in the ownership of land upon which the whole of our rural life had hitherto hinged. It was idle to tell them that these things were of no value to the nation because he was certain the nation had benefited enormously in every particular owing to the maintenance of this principle of continuity. When they looked back upon these Debates it might be that some of them would think they had at times said something they would perhaps rather not have said. He would undertake to say that when such feelings came in there would be no Member of the House who would have so much to regret, and who ought to be more willing to withdraw much of what he had said than the Chancellor of the Exchequer. Time after time, night after night, day after day, on the slightest provocation or no provocation at all, he had chosen to attack in the most violent way the landed gentry of this country. He would venture to say, in making these attacks, the right hon. Gentleman was derogating from the position he held in that House, and attacking those who were not deserving of attack, and saying things of them he was neither justified by the facts nor ought to have said in ordinary courtesy. Those attacks ought to be most emphatically repudiated, and he maintained that if anybody ought to apologise for what he had said or done in the course of this Debate it was the Chancellor of the Exchequer. Had the right hon. Gentleman been present he should have liked to have said more on this subject. The right hon. Gentleman himself was one of

the last who ought to indulge in these kinds of attacks. The Chancellor of the Exchequer came from the landed class in this country; he bore two names which were chiefly known because they were names of large landed families, and he did think the right hon. Gentleman might have remembered the old proverb, that "It was an ill bird that fouled its own nest." Under this Bill the occupier would suffer almost as severely as the owner by the destruction of the ability of the owners for a long length of time, at all events after succession, to continue to help and to develop agriculture on the properties to which they succeeded. They must now have recourse to the most strict economy, and one of the results of this would be to cut off the stream of the healthy support which they had allowed to flow over their farms, and in the direction of promoting agriculture. He was amused to hear the hon. Member for the Woodbridge Division congratulating the Chancellor of the Exchequer for having placed the English farmer on a par with the Scottish and Irish farmers with respect to Income Tax. He would remind the hon. Member that when that point was raised the Chancellor of the Exchequer absolutely scouted with scorn the idea that there was any inequality at all, or that there was any necessity to give relief, and it was not until the arguments had been recapitulated that the right hon. Gentleman saw their strength, and with a very ill grace indeed gave way to the force of conviction. The right hon. Gentleman gave way because he could no longer resist the arguments, and to take credit to him for that was to take credit for what he did not deserve. He must enter his protest against the growing habit of taking credit on the other side for Amendments which had been extracted from the Government by the repeated efforts of the Opposition. Passing to the third class affected by the Death Duties—namely, the agricultural community, he contended that it was grotesque, absurd, and ridiculous to argue that the labourer was not affected by the proposals of this Budget. What was the prime interest of the labourer at this moment? The first essential to his happy existence was continuous wages, and the one thing he dreaded more than another was a break in the continuity of

these wages and inability to earn steadily and regularly that on which his livelihood depended. This Budget absolutely assured him that his employment would be broken off periodically. Hundreds and thousands depended on the maintenance of these country houses and demesnes, and their dismissal must be the first step to the economy which would be necessary on account of the provision of this Bill. The effect of the Bill would be earlier and more injuriously felt by the labourer than by either the owner or the occupier. He thought he had seen all throughout where the real difficulty had lain with the Chancellor of the Exchequer, and he gave credit to the right hon. Gentleman for wishing it had not fallen to his lot to place this bitter penalty on agricultural properties which, he knew, must feel it deeply. The Chancellor of the Exchequer's difficulty was how to separate urban from rural realty, and if it had been possible to differentiate between the one class of realty and the other, he thought they should have had rural and agricultural realty treated with a lighter hand than they had. The fact was, that the crushing, cruel, unfair, and unjust penalty the owners of rural and agricultural properties were called upon to pay was because they were being dragged behind urban realty; and because the Government saw, in the taxation of urban realty, a chance of getting a large and valuable revenue, they were obliged to lump in rural realty with that larger and more important section, and rural realty had to suffer in order that the Government might get out of urban realty that which the owners of it could afford to pay to the State. He felt pretty certain that this line of thought had occurred more than once to the right hon. Gentleman the Chancellor of the Exchequer, and he imagined it had presented itself over and over again to the Cabinet in the consideration of this matter, and doubtless if combined Ministerial intelligence, could have differentiated in any way between these two classes of property, there would have been a plan in which the one class would not have been sacrificed in order that as much as possible should be extorted from the other. However, the Government could not devise a different treatment, and here was the result, but none the less better was the penalty imposed upon property—

Colonel Kenyon-Slaney

in nothing did it mitigate the suffering that would follow. If it was true, as true he held it to be, that the effect of this measure would be to injuriously affect the spending power of owners of land throughout our rural districts, then it stood to reason it must affect the employment of the poorer inhabitants of those districts. British agriculture was undergoing a severe trial, and agricultural experts had insisted on the importance of endeavouring by scientific and other means to keep abreast of the needs of the day, which meant that heavy expenses must fall on the agricultural interest by experiments and improvements—heavy expense upon landowners. Then was it not reasonable to say, and could it not be absolutely proved, that by preventing these experiments and improvements and the development of agriculture a serious injury would be inflicted on the agricultural district? He claimed for this question that it was not of mere class or social importance, but that it was a national question of the highest importance. Just in proportion as injury was inflicted on this interest, so was national prosperity injured. Easy would it be to refer to the immediate outcomes of this precious Budget. Loudly expressed by right hon. Gentlemen opposite was the desire to keep the labourers on the land. Why, then, bring in a Budget the effect of which will be to sweep them off? They (the Government) professed a desire to prevent labourers from crowding into towns, and here they had a Bill that would force them to the towns. The agricultural labourer had no stored-up capital or invested funds; he lived by his work from day to day, and he must follow work and get it where he could. Cut him off from his resources in the country, and he must seek the means of life in towns, and certain it was, perhaps unwillingly, perhaps through ignorance and want of clear conception of the position, this proposal would assist in driving hundreds of thousands of agricultural labourers from their employment in the country to join the crowd of those who struggled for a precarious existence in our manufacturing centres. This was the very thing owners of property had made every effort to prevent, for this they had made sacrifices and “done their level best” to find employment for men

in double or treble the number they really required. Every effort had been made to prevent country districts from being denuded of the labouring population. Then came a Government proposal to defeat all these efforts making them vain and worthless, and the Government must take the responsibility of the results. What these would be a very little time would show, and the country would have little reason to thank the Liberal Party and the labouring classes would have every reason to lament the disastrous interference of the Government in finance. Between the richer and the poorer classes the Budget was unfair and inequitable, and many points had cropped up in these discussions which it would be easy to elaborate and press home, but he did not wish to detain the House longer. He urged that, apart from its agricultural and commercial aspects, there was a national aspect very much indeed affected by the results of these proposals. He had not very many intimate acquaintances among very wealthy men or the honour or the means of knowing much of the working of very rich men's concerns, but he did know of one estate of over £500,000 and another of £220,000 now being so dealt with that they would not pay one farthing of duty to the Exchequer. Such cases as these the right hon. Gentleman should bear in mind; such cases as these could not be left out of consideration when proposals of excessive taxation were made, frightening capital and inducing men to take perfectly legitimate, fair, and honourable means to secure their successors from a cruel and unjust impost. By proposals of excessive taxation they depleted instead of adding to the National Exchequer. We had also heard, and not for the last time, of the difficulties arising out of this Budget in our colonial and foreign relations. A good deal of feeling had been excited between the Mother Country and some of her Colonies, and if the result should be to embroil this country in unfriendly relations with her colonies, then a great deal more injury would be done to the country than the amount of benefit that could possibly be supposed to accrue in any other way. As men of business the Government would fail; they would not realise the money they expected to secure, and for which they had disturbed trade and business throughout the

country. As men of business they failed, and as statesmen their failure was complete, and he was perfectly certain that the net results of the Bill would be the oppression of that class of the community least able to bear the pressure. He was certain that, from the point of view of rich and poor, this should be regarded as an unfair, inequitable, and unjust impost. As such, he cordially and heartily would vote against it in the earnest hope that the country in a short time, recognising the position, would bring about a return to a more sensible and legitimate style of finance.

SIR R. TEMPLE said, that, as one of the few Members who had followed the whole of the Debates on this Bill and been present in every Division, he desired to offer a few remarks upon the present occasion. It was not his intention to perambulate the whole field of that long and historical controversy, but he proposed to touch rapidly on the salient points and to state as briefly as possible the arguments against the Bill as they seemed to him to be applicable. This was a Finance Bill which bristled with hardships and complications, and, notwithstanding all that the Chancellor of the Exchequer had said, he ventured to assert that they had not to find three and a half, or, as had sometimes been stated, five millions at present; all they had to do was to provide the million or so during the present year under this Bill. All they were bound to do was to provide for the finance of the current year, and they might well let the next year take care of itself. Therefore, the argument of financial necessity afforded no answer to the objections raised to the Bill. The fact of the other argument being urged seemed to show that behind the financial policy of the Government lay another and a political policy, and one, he feared, of a partisan character. The suggestion of the Chancellor of the Exchequer that when a man died his property was not his own, but belonged to the State, had filled him with amusement, and was worthy of an Eastern potentate. It was a most astonishing argument to be put forward in a free country. To suggest that property not inherited, but saved by a man, and saved probably through personal exertions in exploiting foreign regions and adding them to the dominions of the British Empire, and

simultaneously increasing British commerce and trade, was most extraordinary; and yet that was the position taken up by the Chancellor of the Exchequer. Such a claim might have been expected to be made by the Shah of Persia, the ruler of Tartary, or the Emperor of China; but surely we in these days of democratic civilisation could not undertake to follow uncivilised countries in that respect. The inequalities caused by the scheme of the Bill would be felt keenly by all future successors to property. It was not quite correct to say that the poor would only be taxed as at present, and he only hoped that the middle classes would not be as hardly dealt with as he feared, owing also to the scheme of aggregation adopted in the Bill. The difficulty was that the system of graduation as introduced in the Bill was unlimited—that it might stop at nothing short of confiscation. It was exactly one of those routes which lead to the goal of general confiscation. That, therefore, was a fundamental objection to the Bill. Another objection was that a man was to pay Death Duties not upon the value of the property he received, but according to the estate of the testator. That surely would be most unfair to individual legatees, and constituted an inequality which would be most keenly felt by all of them. The fact was that these highly-graduated duties would make serious inroads upon capital, which was the motive power of the whole nation, and the prime mover, so to speak, of the social machine, and the wage fund of the country. He wished that working men would realise that fact. If the scale had been adopted which was suggested by his hon. Friend, the Chancellor of the Exchequer would have got more money, and would at the same time have deprived the taxpayer both of the possibility and motive of evasion. When they had these great jumps—he was speaking as an old tax collector—from one class to another, they supplied a motive to everybody to so diminish their estates as to keep them below the mark. He supposed that one great mitigation of all their woes under these Death Duties was that there would be large facilities afforded for evasion. Generally there was a certain amount of loyalty to the State, but the rich men

Sir R. Temple

who found that they were being specially singled out for taxation could not be expected to exhibit any such loyalty. If all taxpayers were treated alike there would be loyalty to the State, but when some 500 men in a year were singled out for oppressive taxation they were not likely to entertain any sentiments of loyalty towards the State. On the contrary, they would be inspired with a feeling of disloyalty to which they had hitherto been strangers, and he was sure that they were already scheming for the purpose of evading the operation of the Act. The argument put forward was perfectly true that real property was heavily burdened by local taxation. He hoped that state of things would be mitigated, but, as a practical man, he did not believe that such mitigation was possible. The great difficulty was to locate personal property. It was only real property that could be located, while personalty was distributed all over the country and could not be located. Consequently, the land must necessarily bear the burden of local taxation in the main. The Chancellor of the Exchequer talked about equalisation. That, of course, was impossible. The land must continue to bear local taxation and could not be exempted, and the only thing that could be done was to exempt it from Death Duties. Then as to graduation. It was all very well for the Chancellor of the Exchequer to say that land would only be valued upon the basis of a forced sale. What did he mean by a forced sale? Supposing the land could not be sold at all. Was any one of them so sanguine as to suppose that because land would not sell it would be exempt from the Death Duties, and would not be aggregated? He was sure that some value would be put upon it, and that an income would be assumed although it might be swallowed up by the income. He was glad to hear the hon. Gentleman for King's Lynn explain the deductions, but even then they must look for an over-valuation, under which the owners and taxpayers would sure to be credited with the receipt of incomes that they had never received, and never expected to receive. In regard to personalty a valuation could be arrived at that would approximately represent the truth; but that was not so in the case

of land. What would be the condition of the landed estates in the future? A large portion of them would be sold. Did not that very fact imply a condemnation of the tax? What were they to say about the equity of a tax which compelled the taxpayer to sell his property in order that it might be paid? If such things as these were done in India instead of at home they would never hear the end of it in that House. It came to this—that this tax was so oppressive that in most cases the unfortunate property owner would have to sell his property in order to pay it. The tendency of the tax would be, amongst other things, to disperse art collections, and that of course would tend to the migration of these works across the water, where these oppressive Death Duties were unknown. If there was such a thing as compassion, he should think that the various considerations which he had urged would have availed with the Government, especially the fact that this taxation would mainly fall upon the widow of the dead man at the moment when the bread-winner of the family had gone. This tax would be execrated by generation after generation. With regard to the Income Tax proposals of the Government, he must make the remark that this Budget would to some extent limit the area over which the Income Tax was imposed. He had had as much experience with regard to that as any hon. Member in the House, and he meant to say that it was very desirable to keep the tax as low as possible in its incidence upon the humbler classes, but not to limit the area, because when the enemy was at the door the Income Tax was a great reserve, and to limit its area would be to diminish the opportunities of raising money in time of need. The area over which the Income Tax could be imposed, having once been narrowed, great difficulty would be found in again enlarging it. Although it was a very proper thing to reduce the amount of taxation as far as possible, the area ought to be maintained, so that in the day of need the necessary amount could be obtained. He understood the Chancellor of the Exchequer to have said that this Budget was an equal one for all classes, but in the next breath he seemed to say something quite different, because

he understood his observation to be that while he had caught the rich man the poor man would bear no share of the taxation. The right hon. Gentleman said in effect that the poor man would not feel the tax, and that it would come out of the pockets of the brewers and the whisky and spirit dealers. He submitted that that was not a just policy. In his view everybody should pay according to their means; but the poor men ought to contribute because the larger expenditure of the country was undertaken on their behalf. So much money being expended upon them, surely they ought to bear some portion of the burden of taxation. It was a fallacy to suppose that only the richer and upper class had an interest in the country; the poor had as large and even a larger interest in the country, and for the maintenance of their interests they ought to pay according to their means. He was confident that he was voicing the general sentiment. In his constituency, for instance, he knew that the working men were just as anxious as anybody to see the Navy strengthened, and he was sure they were ready to pay their share of any taxation that was involved. Yet the Chancellor of the Exchequer had dared to boast that he had so contrived the Budget as to tax the rich and leave out the poor. One word about the Naval Defence Act. He was not going to repeat the argument which he had used before as to the misapplication of the £290,000. He understood the Chancellor of the Exchequer to say that he would suspend the repayment of the Sinking Fund, so far as it related to the arrangements of the late Government. If it was cowardly in time of peace to suspend the payment of the National Debt, it was equally cowardly to suspend the Sinking Fund. [Sir W. HARCOURT: I do not.] Yes, it was distinctly said in the last clause but one of the Finance Bill that the £3,000,000 for the Naval Defence Fund and the £2,000,000 for the Imperial Defence Fund were to be repaid out of the Sinking Fund. That amounted to a suspension of the payment of the National Debt. There were £10,000,000 distinctly alluded to in the Bill, which money was to be applied to naval defence by the issue of £1,400,000 a year for seven years, and which was to be provided by taxation, and to be

paid out of the Exchequer by Exchequer issues. What happened? The Government decided to finish their Programme in five years, and they borrowed £3,000,000, and at the end of five years they had a balance in hand for two years of £1,400,000 a year. Now, what was the Chancellor of the Exchequer going to do? He was not going to repay this money by taxation, but he was going to take it out of the Sinking Fund; and this sum, amounting to almost £3,000,000, was being applied, not to the purposes of Naval Defence or the reduction of the National Debt, but for the prosecution of the financial purposes of the Chancellor of the Exchequer. He did not say that all the terrible consequences which had been predicted would follow from this system of finance, but he did say that there were so many faults of policy and construction and so many blemishes in the Chancellor of the Exchequer's scheme that no course was open to him but to give, as he should do with unqualified satisfaction, his vote against the Third Reading of this Bill.

MR. HOLLAND (Salford, N.) said, the hon. Baronet opposite (Sir R. Temple) had told them that the Bill would receive the execration of generation after generation. He, however, had heard it stated that this condition of things could not be of long duration. Disastrous it might be for a short time, but not for a long time, because as soon as the Party opposite came into power they could, of course, very easily repair the blunders of the Government. Apart from that, he altogether failed to see why the policy of the Government should receive the execration of succeeding generations of legatees. The principle of graduation had been condemned by different speakers on the ground that when once the proposal was started one did not know where it would stop. There was, however, the same limit in regard to the principle of graduation as there was in regard to all legislation—namely, the limit imposed by the good sense of the people at large. The hon. and gallant Member for Newport (Colonel Kenyon-Slaney) had stated that he knew of two estates the owners of which had already made arrangements for the entire evasion of all Death Duties. Well, if the owners of those estates were

not going to pay it was hard to see how they would be hurt by the principle of the Bill. The hon. and gallant Member had appealed to the House in the interests of reality. He (Mr. Holland) should like to point out that if reality had its hardships personalty also had its hardships, and when the Chancellor of the Exchequer had any favours to bestow he thought that personalty would put in some claim for consideration. The right hon. Gentleman the Member for the London University had put his finger upon one of the hardships from which personalty suffered—namely, the prompt payment insisted upon when Death Duties were levied. Another hardship was that when the owners of factories and other buildings made their Income Tax Return notification was allowed with regard to the buildings themselves, although depreciation was allowed in regard to machinery. This was a matter in which he knew the manufacturing districts felt that they suffered a great injustice. He was more or less intimately acquainted with some of the populous manufacturing centres of the North, and there the present Budget was extremely popular. The people in those centres had felt that the principles of taxation had hitherto been unjust, inasmuch as some had been crushed by them while others had barely felt them. Believing as he did that this measure was one which, to a large extent, would redress this evil, and that it was a measure of tardy justice, he should have great pleasure in recording his vote in its favour.

SIR E. ASHMEAD-BARTLETT (Sheffield, Ecclesall) said, the hon. Gentleman who had just sat down had told the House that his experience, derived from a knowledge of the great towns in the North, was that this was a popular Budget. He (Sir E. Ashmead-Bartlett) ventured to traverse that opinion of the hon. Gentleman. Possibly, when the Budget was first mentioned, and before it was discussed and understood, it might have had among a certain section of the Radical Party some popularity, but that popularity had been steadily waning, and it was likely, at no distant date, to become one of the most unpopular Budgets ever produced in this country. It was called a democratic Budget, but it was only democratic in one sense—namely, that it

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did the greatest injury possible to the greatest number of people. As a matter of fact, it was probably the worst Budget that was ever produced, and every fresh examination of it had disclosed fresh inequalities, fresh inconsistencies, fresh injustices, and fresh ignorance of its meaning and its results on the part of its authors. The veneer with which the Budget was first covered had worn off, and the country had at last discovered how harmful it would be to a great number of interests. Its effect must certainly be to injure the agricultural interest of the country; it must tend to drive capital from the land; it would undoubtedly close many country houses, and it would throw out of employment hundreds and thousands of the working classes—household servants, farm labourers, and a great number of working men who, with their families, found useful and beneficial employment in and around country houses and landed estates. These facts were not, perhaps, as rapidly as could be wished, but still steadily and surely being grasped and understood by the people, and especially by the agricultural labourers, and when they were fully understood by them he did not envy the position of the authors of the Budget. The only class that would benefit by the Budget was that of the lawyers. In every part of the land they were now engaged with the wills, settlements, and other deeds which would have to be altered in consequence of the provisions of the Budget, and he believed also that they were very largely examining into the means of evading it. It was an extraordinary thing that this Government of all others should deal this most injurious if not fatal blow at the agricultural interest, because they came into power very largely owing to the excessive promises with which they had deluged the agricultural constituencies. This was probably the largest Budget ever seen in modern times, as it involved £102,700,000. Whilst their predecessors reduced taxation in every direction—direct, indirect, and local alike—the present Government were increasing taxation on all sides; and so increasing it as to inflict the maximum of taxation with the minimum of benefit. Thus, from their new Income Tax they would raise £1,780,000, but only £320,000 of this would go into the

Exchequer. The graduated Death Duties, which were the principal features in the so-called democratic Budget, were so arranged as to place the greatest possible burden upon the land and also to give the greatest possible stimulus to evasion. Personal property might possibly succeed in evading these crushing and unjust duties, and he believed it was no secret that schemes were at present being devised by ingenious minds throughout the country for evading the duties. Land, however, could not evade them, enormous and crushing as they were, and imposed as they were at a time when, owing to agricultural depression, land was least able to bear them. He would give only one instance to show how the burden would fall upon land. He would take the case of a landed estate valued at £1,000,000. This property would on an average produce about £22,500 a year. He assumed that the estate was burdened with mortgages amounting to £500,000, the interest on which would be £17,500, leaving the land owners a net income of exactly £5,000 a year. Under the new Estate Duties the successor would be called upon to pay on the £500,000 which was free from mortgage at the rate of 7 per cent., and he would therefore have to meet a burden of £35,000, having only £5,000 a year to pay it with; consequently, he would have to pay away in duty seven times his annual income, and if the instalments were distributed over a period of eight years he would be left with the magnificent sum of £625 a year during the eight years after paying the Death Duty. If in addition to the original misfortune of the imposition of this costly burden there should, owing to a series of deaths, be a series of Succession Duties to pay there was probably no large landed estate which would be able to bear the burden, and the result would undoubtedly be the forced sale of the property and its distribution. If the Government were compelled to impose a graduated duty, surely a graduated Income Tax would have been much fairer, because it would have fallen upon the great Radical plutocrats who had enormous incomes and who now could easily escape the payment of this duty by investing their money abroad or by transferring it during their lifetime, or adopting

any of the other devices which were now under the consideration of lawyers, and of those who wished to evade the tax. The Government had, on the one hand, tried to play to the Gallery by bringing forward a sham democratic scheme, and on the other hand they had tried to avoid taxing their own rich supporters, who made such huge incomes out of "the toil and sweat of the people." The extra Beer Duty would, like the Death Duty, fall with especial severity on the agricultural interest. The undoubted result of the imposition of the extra Beer Duty would be to drive good English barley out of employment in the manufacture of beer, and to encourage the use of wheat, foreign barley and, what was worse, foreign maize, sugar, and rice. The Budget was in reality an all-round attack upon agriculture, made at a time when agriculture was suffering most. The effect of the Estate Duties would be to drive capital away to foreign countries to produce much less revenue than the Government anticipated, to cause many country houses to be shut up, to break up landed properties, and to throw out of employment hundreds of thousands of industrious persons. Reference had already been made to the juggling with the Sinking Fund that had taken place with the Budget. The Government were taking from the Naval and Imperial Defence Fund the money that had been allocated to them, and were devoting it to other purposes, whilst they were placing a considerable sum upon the general taxation of the country. The way in which the Chancellor of the Exchequer got his balance was most extraordinary. He deliberately took the sum of £289,000, which remained unspent last year under the Naval Defence Act, put it to the other side of the account, and treated it as an asset this year. In conclusion, he affirmed that the Budget was most crudely and imperfectly constructed, that it inflicted a maximum of taxation and distress with a minimum of result and benefit, that its authors had been proved to be on many critical points ignorant of its meaning and its consequences. It imposed heavy and intolerable burdens on the land at a time when the land was least able to bear them, and no class would suffer more heavily from it than the agricul-

tural labourer. It would favour the agricultural products of foreign countries at the cost of British agriculture. It would fall with excessive severity on real property and would favour personal property. It would impose heavy taxation, only a small portion of which would go into the Exchequer. It would tend to fraud and would provoke evasion. It was in no sense democratic, because it would benefit but few and injure many of our people.

*MR. T. H. BOLTON (St. Pancras, N.) said, the main principle of the Budget was to tax the capital value of property right through. Personal property had hitherto been taxed on its capital value, and the Government said they saw no reason why real property should not also be taxed on its capital value. That was a proposition which was rather difficult to meet, because, broadly speaking, property was property whether it was realty or personalty, but in dealing with it for purposes of taxation one had to consider the character and nature of realty as distinguished from personalty. Hitherto personal property had been taxed in this particular way because it could be fairly taxed in that way, while real property had been taxed in a different way because it had had to bear other burdens, and because it would have been not only difficult, but unfair to tax it in the same way as personal property. Millions of personal property could be transferred with a penny receipt stamp, but when real property came into the question it had to be transferred in a different way and had to bear heavy Stamp Duties. No doubt, certain personal property bore certain Stamp Duties, but the bulk of it was transferred without reference to Stamp Duties. Again, until recent years real property had borne the whole burden of local taxation. It was now proposed to put the Death Duty upon the capital value of real property. He hoped it would be thoroughly understood and remembered that in this democratic Budget land was treated as ordinary property. Vague statements were sometimes made to the effect that land was a special kind of property. It would now be very difficult for those who talked about land nationalisation and "land restoration" and "the single tax" to refer to real property as being ear-marked

Sir E. Ashmead-Bartlett

property in which the State had a particular interest and the individual only a limited interest; therefore, underlying this Budget there was another large principle — namely, the recognition of the complete ownership of real property. This was a proposition which he thought would not be at all acceptable to those who held the peculiar views about land to which he referred. It was impossible to tax the holders and occupiers of landed property in the drastic and complete way proposed on principles of equality without recognising the ownership of property in connection with land. What he complained of in connection with the principles of the Government was that they did not have regard to all the circumstances or difficulties connected with particular classes of landed property. Whilst he was prepared to recognise the fairness of increased taxation with reference to certain classes of landed property, he thought there should have been a certain amount of discrimination with regard to other landed property. But as to that he would make a few observations later on. The principle of aggregation of property adopted in the Budget was open, he thought, to a good deal of criticism. So far as he could understand, it appeared to be an entirely new principle. It was quite reasonable to aggregate property that came from the same man and went to the same class of people; but it was an entirely different thing to aggregate property coming from different people, going to people not connected with each other, and only passing on the accidental circumstance of the death of a person who might be only the temporary occupant, or who was temporarily interested in the property; that was a very difficult principle to carry out without a great deal of injustice. The proposal was to aggregate settled property in which a man might have only a small interest with property of his own which was under his absolute control. The interest the man might have might be only temporary, yet under this Bill it was aggregated with his own property for the purpose of increasing the rate of duty which both properties would have to pay. For the life of him he could not see the justice of that policy. Another principle in the Bill was that of graduation. He admitted that graduation was a prin-

ciple that had a certain hold upon the popular party, and he thought that if they could carry out the principle of graduation it would not be unacceptable. Most of them would admit that, broadly speaking, property should pay a higher rate of duty upon passing at death, but the question was what was the rate of duty that should be paid, and by whom should it be paid? Under the present Bill the graduation was calculated with regard to the aggregate amount of the property of the deceased; it should be according to the amount of benefit received by the individual and not according to the amount of the estate from which that benefit was derived. The Government had carried out their views and applied the principles of the Probate Duty, which hitherto had applied to personalty only, to this new Estate Duty, and he could not help thinking that in many cases that would work a good deal of injustice. On the Report stage they had considerable discussion on the hard case of the payment of duty on the passage of property from the wife to the husband, or from the husband to the wife. He believed that the natural feeling of the community would be very much opposed to the Government on this question, and every husband succeeding to property from his wife, or every wife who succeeded to property from the husband, would feel a sense of injustice at having to bear a tax, and an increased tax which, but for this Bill, would not have had to be borne. A good deal had been said as to the bearings of this Budget upon land. He had already said in the House more than once that he thought town property could bear more taxation; that was in accordance with the principle of putting the taxation on the shoulders of those who could afford to bear it, but the Government did not discriminate between town property and the class of property they had in the rural districts, which at present, as was generally admitted, was suffering under the most grievous depression, and they chose to lay down a hard and fast rule that while it raised the taxation on town property also raised taxation upon country property. He said unhesitatingly as a town member that the people in the towns had the greatest feelings of regard and sympathy for the people of the agricultural

districts, as they knew that if the difficulties in the agricultural districts were increased it must drive the people into the towns to swell an already congested labour market. The interest of the people in the towns was not to oppress the people in the agricultural districts and make the conditions of life by taxation so hard that the people were driven from them; but their interest was to keep the people in the agricultural districts. The desire of the people of the towns was that the people in the country should be under no taxation that was not perfectly fair and considerate to them, having regard to the depression from which the whole agricultural interest was suffering. He might be told this taxation only affected the landowners. Immediately it did only affect the landowners, but indirectly it affected the people employed by the landowners and all the rural population, because as a landowner had to provide for the payment of these Death Duties, it would mean that this provision would have to come out of the income of the estate, and therefore a less number of persons would be employed in the agricultural districts. That, he thought, would appeal to the common sense of Members representing town constituencies. He saw a letter in *The Times* from a landowner, who stated that in the last eight or 10 years he had expended upon the improvement of farm-houses, cottages, and in various other ways upon his estate, some thousands of pounds which had not produced one shilling additional income. He had kept six men regularly employed in making these improvements; but after this Budget passed, having to set apart some of his income to meet the Death Duties, he would have to get rid of four out of the six men he now employed. What were these men to do? He quite admitted they might say this landowner employed these men because he thought it was in his own interests to do so; but there was no doubt it was done for other reasons as well, and his contention was that the effect of the Budget would be to reduce in a similar way the expenditure of a large number of landowners throughout the country, and thus drive a certain proportion of unemployed men into the towns. Whilst they

were passing Parish Councils Bills, Small Holdings Bills, and holding out all sorts of inducements to the agricultural labourers to remain in the agricultural districts, at the same time they were initiating a system of taxation, without discrimination, which would help to drive the agricultural labourers into the towns. He thankfully accepted the concessions the Chancellor of the Exchequer had made both with reference to Schedule A and Schedule B, but he thought the right hon. Gentleman might have gone a little further with reference to Schedule A. He was not complaining—in fact, he gratefully accepted what the right hon. Gentleman had done; but he thought that the scale the right hon. Gentleman had laid down, whilst it would be perfectly fair and reasonable with respect to the better class property, would not be sufficiently considerate to the poorer class of property. He could take the right hon. Gentleman to old-fashioned cottages, which were let at low rents, where the repairs to keep them up amount to something like 20 to 30 per cent. They ought, according to some modern notions, to be pulled down; but inasmuch as they were old-fashioned, roomy places that the tenants had lived in from 20 to 50 years, they did not wish them to be pulled down; therefore they were patched up from time to time, the owner expending from 20 to 30 per cent. upon the repairs. This class of cottage could be found all over the country, and though the hard-and-fast rule of the right hon. Gentleman might in many cases be fair and reasonable, in others, and particularly in the case of this kind of cottage property, the relief would not be sufficient. Therefore, he was sorry that the Chancellor of the Exchequer had not adopted the broad proposition of charging Income Tax under Schedule A upon the clear net income derived rather than upon the gross, with a certain proportionate abatement. There had evidently been a confusion of principles in the mind of the Chancellor of the Exchequer as to a graduated Income Tax. Did he accept this new Estate Duty in lieu of a graduated Income Tax? If the right hon. Gentleman really believed in such a tax he ought to have brought it forward instead of this deferred Income Tax. He

Mr. T. H. Bolton

had heard in this discussion that whatever else the Bill might do it would do something for the lawyers. He hoped it might, for speaking as a lawyer he could say they were a class of people whose business at the present time was not very flourishing. Therefore, if the effect of this Bill was to give them some increased business he personally, on behalf of his fraternity, thanked the Chancellor of the Exchequer, but he did not know that the public would thank him. Standing here he spoke as a representative of the public and not as a lawyer, and he said that any Act of Parliament which immediately set the lawyers to work to find out a means of evading it stood condemned, to some extent at all events. He believed that the lawyers would have a good deal to do with the working of the Act, and that the ingenuity of the lawyers would be able to entrench on the income which the Chancellor of the Exchequer hoped to derive from this Bill. Speaking generally, this Bill was one that he did not believe would bring in the large sum the Chancellor of the Exchequer hoped; it would upset all sorts of arrangements all over the country, and greatly interfere with many business transactions. It professed to carry out large principles, but it would carry them out in a very unsatisfactory way, and would be found to bear very heavily on certain classes and certain interests in the country. He thought the great talent and ability of the right hon. Gentleman might have invented a Budget that would have been more satisfactory than the one he had brought forward, and therefore he should not support the Third Reading of this Bill.

MR. H. FOSTER (Suffolk, Lowestoft) said, he should not have interposed but for an observation that fell from the hon. Member for the Woodbridge Division of Suffolk (Mr. Everett), which might be misleading. The hon. Member said his one ground of support of this particular Budget was that it would do a great deal for the agricultural labourer. It was true that the hon. Member did not condescend to give particulars how the agricultural labourer was to be benefited by any particular provision in

this Budget, and he would therefore ask him to state how he made out that the agricultural labourer would be benefited by any provision contained in this Budget. Would the hon. Gentleman attempt to say that in his County of Suffolk, a portion of which he represented, that any benefit would be conferred on the labourer? During the last few years a large area of land in the county had gradually gone out of cultivation, and was still going out of cultivation, because the owners found that land cultivation did not pay. If the hon. Member admitted that the result of this decreasing area of land under cultivation was to drive a large number of labourers off the soil, to make the conditions of their employment and their mode of life harder, then he would ask the hon. Member and the House to consider what the effect of such legislation as this Budget must be upon the lives of such men as the agricultural labourer. To his mind this Budget illustrated the cardinal difference between this and the other side of the House. He submitted there was this great difference in the policy of the two great Parties in the State: gentlemen opposite were in favour of increasing the burdens of taxation, while they on that side were in favour of lightening and alleviating those burdens. They believed that land at present was overburdened, and if they were to increase the area of land under cultivation and to attract back to the land the labourer and capital they must lighten the burden that at present pressed so heavily upon land. By this Budget the burdens on land would not be lightened but increased by the taxation imposed, and, that being so, he wished to know how the hon. Member for the Woodbridge Division of Suffolk (Mr. Everett) was going to make good his claim that this was a poor man's Budget in the sense that it was going to benefit the agricultural labourer? That argument was elaborated somewhat by the Secretary of State for India, who made a speech which was not only important in character, but contained a vast amount of matter of the greatest historical interest, but towards the conclusion of his speech

the right hon. Gentleman fell into what he might call, with all respect to the right hon. Gentleman, political clap-trap of the worst possible description, for he raised the argument with which they were so familiar, of the rich against the poor, and in conclusion he made some observations, mostly written, in the nature of a peroration which appeared to him (Mr. Foster) more in the nature of an election address than a speech in support of a serious Government measure. What was the right hon. Gentleman's argument—what did he wish to convey, not to Members of this House, but to the general public? That this was a Budget to the interest and advantage of the majority who were poor against the minority of the people who were rich, and he wished to ask the House what was there in this Budget to justify the observation that the Budget was in favour of the poor man? Supposing that was so, was the Budget wise or just because the poor man was the more numerous class in this country? But the right hon. Gentleman did not proceed to illustrate his point nor did he proceed to deal materially with the illustration used from the writings of Mr. John Stuart Mill by the right hon. Gentleman the Member for the London University (Sir J. Lubbock). The argument adduced from the writings of Mr. John Stuart Mill was that taxation should be graduated in proportion to the means of the person who was taxed. But this fallacy seemed to underlay the argument of the Secretary of State for India and the Chancellor of the Exchequer, that they should proceed on the basis, not that they were taxing the living, but that they were taxing the man who was dead and gone. In the graduated Probate Duty that was the principle upon which he had acted. A man who was alive and possessed a certain amount of money, should be taxed according to his means. They were all in favour of graduated taxation if it were so applied, and it was a misrepresentation of their views on that (the Opposition) side of the House to say that they were opposed to the principle of graduated taxation. But what they did protest against was that a man who was left a legacy by a rich man should have to pay a larger Estate Duty than

Mr. H. Foster

if the legacy had been left him by a poor man. It was a misapplication of the principle of graduation to tax a man to whom property was left, not because he had been left a large amount of property but because the man who had left it to him was a rich man. That was not taxing the rich and relieving the poor, but it might well be that it was taxing a poor man because a rich man happened to have left him a small legacy. He rose principally for the purpose of protesting against that part of this Budget which increased the taxation upon land, and which thereby must have the tendency of driving more land out of cultivation, and by that means make the occupation of the agricultural labourer a more difficult one; which must send the labourers more from the country into the towns than was even the case at the present moment, and he ventured to say when the principles of this Budget were understood—as they were gradually being understood—by the agricultural community, so far from thanking the Government for having done anything to relieve them, they would recognise that the very reverse was the case, and they would bring pressure to bear upon their representatives for the purpose of securing the repeal of the unjust provisions of this measure, so far as they affected the agricultural districts, and directing legislation towards relieving the present burdens upon land.

*MR. BIRRELL (Fife, W.) did not think he should have ventured to intervene in this Debate if it had not been for the fiery sarcasm thrown across the floor of the House by an hon. and gallant Gentleman he did not see now in his place, who spoke of the dumb fidelity of the supporters of Her Majesty's Government. An insult of that character could only be avenged in words. He should therefore avail himself of the few minutes at his disposal to say one or two words in support of the general principles of the Budget. The hon. Member for the West Derby Division of Liverpool, who spoke at an earlier period of the Debate, and who made himself, as he was perfectly entitled to do, the mouthpiece of agricultural distress, which existed, he

dared say, in this country, seemed sometimes to forget that he no longer represented an agricultural constituency, but was now in the proud position of representing an arbitrarily-selected spot of ground, covered, so far as he remembered—and at one time he knew it well—with dingy houses and fourth-rate shops many of leasehold tenure. He could assure the hon. Member that if he would direct his attention to the distress which existed in his own constituency, arising from the great depreciation in the value of house property in the West Derby Division of Liverpool, he would find that the agricultural interest was by no means the only distressed industry at the present time. None the less these leaseholders had for a long period of years, without any protest from hon. Gentlemen opposite, been obliged to pay—*he did not say they were content to pay*—Probate Duty upon their property. They had paid probate always. Sometimes, as in the case of a lease for 99 years, the leasehold interest might very likely have paid Probate Duty four times over, whilst the freeholder, who had derived during the whole of that 99 years the rent of the property, had paid no Probate Duty whatever. The hon. Member acknowledges that this was a great injustice; he said he recognised the fact that this distinction between the freehold and leasehold interest in land was entirely arbitrary, and that he could conceive of no reason why the freehold interest should be exempted from the impost which the leasehold interest had to bear. The hon. Member asserted that the principle of this Budget was unjust, and yet he recognised that this great injustice was being remedied. He wanted to know how the hon. Member could make out that this Budget, which was the first Budget which remedied this injustice, was framed on an unjust principle. He had no doubt that the right hon. Member for St. George's recognised the injustice of this state of things just as much as the hon. Member for the West Derby Division. But for his part, he confessed he cared very little for Chancellors of the Exchequer who only recognised injustices—he preferred those who remedied them. The great principle of the Budget, apart from details and minor injustices, was that all property, by whatever name

lawyers chose to call it, should bear the same tax upon its principal value. No one had risen in his place to say that that principle was unjust. On the contrary, he thought that almost all the speakers who had taken part in the discussion had one and all recognised that that was the proper principle to act upon if it was only possible to apply it. Everybody agreed that all property alike should pay whatever Death Duties the State might think fit to impose upon the principal value. No one would say that any class of property of this kind was entitled to be exempted from a just and fair impost, consequently they started with a general admission that if it was possible of application the principle of this Budget was a fair one. No one would now contend that there was anything in the nature of freehold interests in land which entitled them to be treated apart from other kinds of property. Household franchise had rendered all such arguments impossible. He was perfectly well aware there was a time when the landed interest in that House spoke in a very different tone, when it was thought a shocking thing that land should bear these imposts, because it was asserted that any tax upon land robbed the heir, and he had a position in that House which the heir to personalty had not—namely, that of a person entitled to protection. So much was he entitled to protection, that it was only after a long controversy, extending over a number of years in that House, that freehold lands were made liable to pay the debts of a deceased proprietor. When Sir Samuel Romilly introduced a Bill to make the estates of dead men available assets for the payment of debts, no less a man than Mr. George Canning declared that he saw in the Bill a distinct attempt to sacrifice the landed to the commercial interest, a project which would undoubtedly ruin the landed interest, and which would introduce into this country all the horrors of the French Revolution. Sir Samuel Romilly, like a wise man, bowed to the storm, and was content to confine his reform to one small point. He brought in a Bill to make freehold estates of deceased tradesmen assets to pay their debts. The House of Commons passed that Bill, and Sir Samuel Romilly went home and recorded in his

diary that the House of Commons was a queer Assembly, but at all events it had some sense of honour, for it did not mind making a tradesman pay his debts. It was not until many years after that time that the House of Commons could be induced even to go so far as to make the lands of a deceased freeholder assets to pay his debts. The reason was the same—namely, that it would be robbing the heir. The heir had to be considered. He had made his plans on the assumption that he would inherit the estate of his ancestors; perhaps he had entered into a matrimonial alliance and begotten children and incurred liabilities and responsibilities on the assumption that he was to inherit an estate of a particular value, and anything that would take away that value was a thing to be deprecated. He mentioned that to show it was impossible now, at this date, when all proposals had to receive the sanction of a large mass of people, for the landed interest to talk in that way any longer. They had consequently now based their objections to being taxed upon the principal value of their land on the extreme difficulty that existed in ascertaining what that value was. He was perfectly ready to admit that that difficulty might exist in a small number of cases, but it must be a very small number indeed. If they could ascertain the probate value of a leasehold estate held for 999 years, there would be no great difficulty in ascertaining the value of a similar estate held for ever, and, in fact, even the landed interests themselves, when they desired to obtain a mortgage on their property, experienced no difficulty in producing evidence of an entirely satisfactory character from surveyors and land agents of repute in the county, showing in black and white exactly what the value of the estate was, and thereby inducing a mortgage to the extent of two-thirds or half of that value. He did not believe that in the great majority of instances any difficulty would arise with regard to the valuation. After all, he would point out that it was not from the depressed agricultural interest that the Chancellor of the Exchequer hoped to fill his coffers. There was a vast amount of freehold property in this country as to which the Chancellor of the Exchequer was perfectly right in assuming that there would be no difficulty in obtaining

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a valuation. In the first clause of the Bill, by a stroke of the pen, two great, glaring, and admitted inequalities were removed. If a man died possessed of £30,000 in funds and a freehold estate worth £30,000—which could be sold to-morrow, and as to ascertaining the value of which there was no difficulty—no one would say that the estate worth £30,000 should be extracted from what the man had left in order to ascertain the amount of the Death Duty payable. Both the money and the estate should be put together and included in the same duty. That was one inequality which was removed by this Bill, and the other was with regard to the Succession Duty. If a man died and left £30,000 to one nephew and an estate worth £30,000 to another, and the latter sold the estate for £30,000, would anybody say that they both ought not to pay the same duty. These were two inequalities which were about to disappear for ever from their law. He wanted to know how anybody could say that a Budget which took that as the outline and principle on which it worked was an unfair Budget. A Budget must be very little just unless it proceeded upon the plain and intelligent principle that the duty should be levied on the value of the property passing, and the time had come when the distinction between all classes of property should disappear. That time had all the more arrived, because, as the hon. Member for the West Derby Division had very well pointed out, these distinctions between real and personal property were very fantastic, and when they found an enormous amount of property in this country which any layman would call real estate, did pay the same tax as personalty, the time had come when every kind of land and house property should be made to pay a tax based upon the principal value. The whole question, therefore, resolved itself into this—whether a case could be made out not on general principles, but for special and temporary reasons, for exempting land. The agricultural argument, it was obvious, did not apply to the greater part of the property in question. It did not apply, for instance, to house property or to estates in urban districts, but only to those agricultural estates which, at the present time, were depressed. Upon those, as had been pointed

out over and over again, the hardship was very much limited by the fact that the worse property was at the present time, the less would be the duty payable upon it. It might well be that those on behalf of whom their pity was largely excited would not be called upon to pay duty at all. They were only called upon to pay the tax upon the value of the inheritance they received. If the inheritance was of no value they would pay no tax. He quite agreed that the result in many cases would be that estates would have to be put up for sale, and that might be a very hard and disagreeable thing to the persons who had to sell them. A number of pictures would very likely come into the market. He deplored and regretted it. He took no pleasure in the sale of a man's property to pay the duty, but if it so happened that a man to whom property was left could not support the burden of the estate left to him, he was no more entitled to pity than he (Mr. Birrell) should be if someone were to leave him Chatsworth or any other magnificent house, which he should have to sell because he could not afford to keep it up. He wanted to know why any particular class of property should escape the burdens of taxation simply because the person who had to bear it could not maintain the property in its former state? He invited any hon. Member to point out in what respect the principle of this Budget was unjust. Local burdens upon land were taken into consideration. If land paid local burdens, the principal value was only ascertained after the outgoings and burdens had been taken into account. After all, there was such a thing as a *damnosa hereditas*. No doubt people repudiated such inheritances, and did not accept them. They were now dealing with inheritances which gentlemen opposite were perfectly ready to accept; therefore he took it they attached some value to them, and grievous as it might be to see estates brought into the market, he did not think it advisable, at this time of day, for anybody to say that this was a ground for exemption. People were not disposed to believe that owners of freehold interests in land were entitled to any exemption. Their services to the country had not been so great as to entitle them to exemptions. They

could not make out any case of past services which would justify their being treated in an exceptional manner; therefore, without going any further into detail, he was bound to say he supported the Budget because it removed two glaring inequalities which had been admitted over and over again—namely, in the first place, the exemption of these fantastic freehold interests in land from payment of money corresponding to the Probate Duty; and, in the second place, the difference of treatment between the modes of taxation on the inheritance of two classes of property, for it made the man who succeeded to real estate pay on the principal value of that estate in exactly the same way as it made the man who succeeded to leasehold houses or money in Stocks or shares or other securities. These were the very simple reasons which induced him to give his support to the Budget. He was only surprised that the Liberal Party or the Tory Party should have made them wait so long for an opportunity of giving support to these principles, and he was perfectly sure when the time came to go to the country it would be extremely difficult for hon. Gentlemen opposite to make out reasons for the vote they were going to give that night—namely, that the Budget should be read a third time that day three months.

MR. A. J. BALFOUR (Manchester, E.): I suppose we have now reached the last act of the drama which has been dragging its slow length along. [*Ministerial cheers.*] I dare say it has wearied some hon. Gentlemen in this House, but it cannot have wearied the gentlemen who interrupted me by that cheer just now, for they have not done us the honour of being present at our Debates. Had they been present and had they listened to the arguments which in all seriousness were pressed upon the Committee and to the House on the Report stage, I think it not impossible that they would have shown their impartiality by occasionally putting the Government in a minority. But whether I overrate or underrate their Parliamentary principles, this, at all events, I will say—that the House and the country owe a great deal to the comparatively small number of

gentlemen on both sides of the House who have devoted themselves to the consideration of the details of this most complex and difficult subject. It has been technical to an unprecedented degree, and it has necessarily not been prolific in exciting or interesting incidents and except for an occasional sally from the Attorney General or from the inherent humours of the draftsmanship we have had but small opportunities of amusing our lighter hours by the discussion of these details. All the more honour to those gentlemen who have devoted themselves in a serious spirit to this difficult work. I do not, of course, deal with gentlemen on the other side—far too few—outside the ranks of the Front Bench opposite, but I am speaking of gentlemen on my own side of the House. We all of us, irrespective of Party, owe a debt of gratitude to such gentlemen as the hon. and learned Member for Essex (Mr. Byrne), the hon. and learned Member for York (Mr. Butcher), who have given us their legal assistance in this matter, and the hon. Member for the Thirsk Division (Mr. Grant Lawson). [*Opposition cries of "King's Lynn!"*]. Yes, and the hon. Member for King's Lynn. My hon. Friend the Member for King's Lynn has brought to this Bill a degree of industry and knowledge which might well shame some of the gentlemen opposite who cheered the name when I mentioned it. It would be invidious not to mention the hon. Member for Islington (Mr. Bartley). The hon. Member has done work on this Bill for which we ought to be grateful, and I am certain the Chancellor of the Exchequer, who has listened to these Debates, will not endeavour in what he says to-night to underrate the hon. Member's services. But I must pass to the consideration of the more important question now before the House, which is the question of the merits of this Budget which we are asked to pass into law finally, for, as the other House of Parliament does not interfere in these matters, I suppose we may regard to-night as the last occasion upon which there will be any opportunity of reviewing or rejecting the proposals made by the Government. What are the merits of this Budget? The Chancellor of the Exchequer has invariably posed before us as a Minister who had to meet, I will

not say an alarming, but a formidable deficit, and who has taken the opportunity afforded by his having to meet this deficit to carry out a great fiscal reform in the principles of taxation hitherto adopted in this country. That, I understand, is the right hon. Gentleman's view, but I deny both propositions which by implication are contained in that statement. I deny that the present financial position of the country requires heroic remedies, and I deny that this is a heroic remedy or a remedy of which we ought to say that it is a great fiscal improvement upon our existing system, which introduces order where chaos reigned before, which introduces justice where injustice has hitherto prevailed. Let me consider this point of the financial deficit. I understand that the right hon. Gentleman is providing funds to meet the expenditure of the year 1894-95. He sometimes talks as if upon his shoulders had fallen the onerous and responsible task of framing a Budget for all his successors. That is not what he is asked to do, and it is not what his office requires him to do. What he is asked to do and required to do is to find ways and means for meeting the deficiency in the current year. What is the deficiency in the current year? In moments of enthusiasm the right hon. Gentleman calls it £5,000,000. As a matter of fact, I believe, to be accurate, it is in round numbers £4,500,000. That deficiency is not being met on the right hon. Gentleman's own principles out of taxation. He has, in defiance of his own utterances, appropriated the Sinking Fund and the taxes meant to meet the Sinking Fund, which my right hon. Friend established for the purpose of dealing with the naval programme of the last Government; and by that means and by various other hocus-pocus expedients which I do not mean to criticise now, though I think that they are open to criticism, he has, without putting a single penny of taxation on the community, reduced this deficit to the more manageable amount of £2,379,000. That is a large deficit; but does it, on the face of it, require any enormous fiscal revolution in order to meet it? I think not. Let us just consider the matter. The right hon. Gentleman put 1d. on the Income Tax in the first place. After making

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two classes of deductions—the deductions at the lower end of the Income Tax scale and the deductions in respect of the Income Tax on real property—the net result of his 1d. is £330,000. If he had not introduced the Death Duties he need not have made those deductions on Income Tax with regard to real property, and that would have increased his return from the Income Tax for the current year by £715,000. That is the best calculation I can make in the absence of figures from the right hon. Gentleman. In addition to this he has put an Excise Duty on beer and spirits which amounts to £1,300,000. We voted at an earlier stage of our proceedings for reducing that Excise Duty by one-half. I will give the right hon. Gentleman credit for that half, which would be £670,000; and if you add that to what he gets from the Income Tax, leaving out of account the deductions at the lower end of the scale, the Chancellor of the Exchequer would have had to meet a deficit of £2,379,000 no less a sum than £1,700,000. It is evident that the Chancellor of the Exchequer might in the first place have put only half the Excise Duty on, and he might have left the Death duties absolutely alone. He might have made all the deductions at the lower end of the Income Tax scale, and his financial ingenuity would only have been asked to make up a deficit for the present year of £650,000. That is an important sum to make up, but I do not believe this Heaven-sent financier would find himself at the last gasp if he had to make it up by other means. [*Cries of "What?"*] What does this prove? It proves that the right hon. Gentleman by his own showing and his own figures had not to make up that enormous deficit, which by itself would justify a financial revolution. Therefore we have to consider the merits of the financial revolution by themselves, and to consider whether it is worth while to make this great change in our fiscal system, and also whether the change is one which merits all the eulogies passed on it by his friends, or whether it is open to all the criticisms passed upon it by its opponents. I must say a word with regard to what fell from the Secretary of State for India in connection with the reductions on the Income Tax. He seemed to think that if we carried this

Amendment of my right hon. Friend, we should do away with all the relief given by this Budget to the small Income Tax-payers. What is the foundation for that statement? We should do away with the Budget, but is the other point the necessary collateral consequence of the Budget? Not at all, because, as I have pointed out, even if we give these exemptions, it is not necessary to revolutionise the Death Duties in order to find the money. The right hon. Gentleman spoke as if the Chancellor of the Exchequer was the only person who had ever realised the fact that the taxpayer who paid taxation at the lower end of the Income Tax scale was of all the subjects of Her Majesty the one most in need of relief. That has long been recognised by important authorities in this country. Sir Stafford Northcote, and not the right hon. Gentleman, was the first person to recognise this principle and to carry out this kind of reform. And though the late Chancellor of the Exchequer has pointed out that it was contrary to the view of the right hon. Member for Midlothian.

SIR W. HARCOURT: And his own.

MR. A. J. BALFOUR: Certainly, and his own—that this alteration at the lower end of the Income Tax should be made, my right hon. Friend has been in the forefront of those financial reformers who wish to relieve this particular class. In his own Budget my right hon. Friend has given relief not less important and far-reaching than the relief given by the right hon. Gentleman opposite to the very class which, according to the Secretary of State for India, the Chancellor of the Exchequer has taken under his own bountiful and munificent protection. If, as I have shown, the right hon. Gentleman is not making a Budget required for this year, for what year is he making a Budget? Who asks him to find a surplus for the Chancellor of the Exchequer who will have to deal with the financial problems of 1895-96? In this year a million, and a million only, will come from the new taxes imposed. Next year the right hon. Gentleman anticipates, rightly or wrongly—and the question is

open to doubt—a much larger return. For what expenditure is that greater return going to be used? Why is the right hon. Gentleman finding expedients this year to meet the expenses of next year? Perhaps he will say that it is for the naval programme of next year. That would be a fair argument in the mouth of a Unionist Chancellor of the Exchequer, but it is not permissible in the mouth of the right hon. Gentleman. Why? Because he has always refused to commit himself to a naval programme. That is the very difference between his view of meeting naval expenditure and ours. We have always thought, and still think, that if you lay down a programme lasting for many years, you should, in the year in which you lay it down, commit the country to the expenditure and provide for it. But the right hon. Gentleman has refused to commit the country to the expenditure. Then why does he commit the country to the taxation necessary to meet it? Why has he provided money to meet obligations the binding character of which he does not admit and thinks ought not to be admitted? Why does he frame a Budget, not to meet a deficit in the present year, but to meet the hypothetical and unknown expenditure which may or may not be imposed by the Chancellor of the Exchequer of 1895-96? Perhaps hon. Gentlemen differ from me in that respect, and perhaps they think it is the Chancellor of the Exchequer's business—being a Member of the Government which has made promises about the Navy—to provide the next year's financial expenditure. If they take that view, how can they account for the Chancellor of the Exchequer's way of dealing with the Spirit Duties? For, while his reformed Death Duties are to be permanent, his increased Beer and Spirit Duties are only to last for one year. Why that distinction? Everybody knows that there could not be a worse way of putting on taxation on such a commodity as beer or spirits than putting it on for a year. It upsets the trade and every calculation, and throws a great burden on future Sessions if the duty is to be continued. Why has he done it? He has done it, of course, for votes. Pressure was put on him by those on whom his political existence depends. He gracefully yielded to *force*

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majeure, but by so doing he has deprived himself of all claim to be regarded as a financial reformer, because he has done that which no financier in his senses would do if he had only the financial interests of the country to consider. I pass to the consideration of what has been the main subject of our controversies during the last two months. What is, after all, the most important question by which the merits or demerits of this Budget will be decided? Are the right hon. Gentleman's Death Duties, as he has proposed them, a good form of taxation or a bad form? That is the question by which his fame as a financier will be decided. I will put a few simple questions to the House on that point, before they finally sanction the plan of the Government. There are a few very plain principles of taxation to which every tax ought to conform if it is good. In the first place, it ought to be simple. In the second place, the amount of it ought to be easily calculated by those on whom it falls. In the third place, it ought to enrich the Treasury at the smallest cost to the taxpayer. In the fourth place, it ought to be easy and safe of collection; and in the fifth place, it ought to be just. Which of those tests is satisfied by the scheme of the right hon. Gentleman? [*Cries of "All!"*] We will take them in turn. Is this scheme simple? I do not put that question to the gentlemen who do not attend our Debates, but to those who do. I defy any human being, on reading the Bill—even the amended Bill, though we have endeavoured to elucidate it as far as we could—to say that the Government scheme is simple. When it was originally proposed, the Chancellor of the Exchequer gave us to understand that the Death Duties were in a hopelessly complicated position; that there was a Probate Duty, a Succession Duty, a Legacy Duty—five of them altogether, but I forget the names of all. He was going to reform and clean out this Augean stable. What is the result? There were five kinds of duty, and now there are four. Surely this is a modest and moderate reform. This is the result of that immense simplification of the Death Duties which was the proud boast of the Chancellor of the Exchequer. I will not dwell upon a point which has been most

ably put before the House by previous speakers—namely, the complications introduced into your old system by the combined effect of aggregation and graduation. I will not say whether they are wise or unwise, but only that they are not simple, but most complicated. The Secretary of State for India, in reply to the hon. Member for King's Lynn, told us that aggregation was not so difficult and mysterious an operation after all; that it was a sum of simple addition; that you added together all a man had, and did the sum by the first rule of arithmetic and had the result. Not at all, Sir. I understand addition of what a man has, but the addition involved in aggregation is not at all addition of what a man has, but includes what a man has not got and also what he never had. In summing up the ghost's property for the purpose of taxing the successors, you not only deal with what a man had at the moment of his death, but with what he gave away in his lifetime in the form of settlements, and with what he never had at any time—namely, the property settled on another person which passes on his decease to another heir. I do not know what that process is to be called, but it cannot be described as a process of simple addition. The system of aggregation by itself is a most complicated process, involving questions of the utmost technicality and difficulty, and in some cases of the grossest injustice. I come now to the second point. Is the tax under this plan easy of calculation by the person who has to bear it? Will those who have got to pay the tax easily find what it is they have to pay? In other words, will the ghost know what it is the successors will have to give to the Treasury? He cannot know; it all turns on the accident of valuation. It does not depend upon income which can be known; it does not depend upon the fancy or the turn of the market at the instant of his decease. It turns upon that and upon nothing else, and that necessarily introduces an incalculable element into every man's settlement of his property which, I venture to say, is contrary to all the best principles of taxation. I come to the third point. Will this tax enrich the Treasury at the least cost to the community? That is a fundamental question which every Chancellor of the

Exchequer ought to ask himself before he imposes any burden upon the people; and I say emphatically that this form of taxation, which directly taxes capital as distinguished from income, is the most costly form of levying money to the community which it is easy to conceive. I quite grant that Death Duties have the advantage that they do not, by the very nature of the case, affect the living. The man who is taxed is the ghost, and the ghost is beyond the greed of any Chancellor of the Exchequer. But, Sir, what we have got to ask ourselves as members of the community is whether it will touch the income of the community, or whether it will make a breach in the capital value which the community has at its disposal for productive employment; and is it not plain, on the face of it, that a Death Duty of this kind, which levies large sums at the moment of death, on the whole touches capital, and leaves income on one side? I will give an instance which will bring my contention home to every Member of this House. Take an ordinary business firm, of which the largest partner, a wealthy man, dies. The duty would be levied upon his property at a very high rate because he was a rich man, and because under the principles of graduation he would have to pay more than the proportionate amount which would be due were he only in the position of his poorer partners. The result of that probably will be that out of the business of which he was the main partner a large amount of capital will be extracted. This is a neutral case which has been put to me, and I give it to the House for what it is worth. The result will inevitably be that you will find great firms engaged in important industries, upon which the prosperity of large districts depends, hampered by this form of taxation as they never could have been hampered if you had confined yourselves to taxes on income or indirect taxes upon commodities. I have purposely taken for my illustration a business, because I know if I mentioned land I should be told I was simply influenced by my desire to preserve the interests of the owners of large estates. One more illustration I will give of the effect which this will have upon the prosperity of the country and upon the income-earning power of

the country. The Chancellor of the Exchequer has resisted throughout our proceedings, and I have supported him in resisting, anything which would throw a premium upon foreign investments. But, Sir, the whole Budget, by the nature of the case, throws a premium upon foreign investments so long as these foreign investments are in land or houses. Investments in leasehold or freehold property abroad escape taxation under this Bill altogether. If any man is afraid of the Chancellor of the Exchequer, he has only got to sell out his English securities, get rid of his English property, and invest his money in foreign land or houses, leasehold or freehold, and he can snap his fingers at the Chancellor of the Exchequer. Not a penny will be levied, no question will be asked his executor, there will be no aggregation, no graduation, the money will be safe from the Chancellor of the Exchequer, and his heirs can take it without paying one single sixpence under the Bill in any shape or form whatsoever to the British Exchequer. I feel for the Chancellor of the Exchequer. I know he would tax this property if he could, but he finds he cannot, because if he could not do it he could not do it. What is the moral? The moral is that this form of taxation by Death Duties is a form of taxation which, by the very nature of the case, does put a premium upon certain kinds of foreign investments, and does tend to drive capital out of this country to be spent abroad. I have got through three of my points, and I have only two remaining, and I will not occupy the time of the House very long with them. What is my fourth test? It is that the tax should be easily collected. Is this tax going to be easily collected? From one point of view I suppose that the Government think it is, for they have systematically and incessantly refused to allow anything in the nature of insurance being made against it, although such insurance would have enabled them to make certain of getting the money on the death of the deceased. Yet several other parts of the Bill show well enough the difficulties they anticipate in this matter. I do not know whether the House realises what inquisitorial powers the Government have given to the Inland Revenue Department, what duties they

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have thrown on the unhappy executor, by what penalties they mean to enforce the extra, and revealing of every 6d. belonging to the deceased. We look back at the days of the Star Chamber as days when tyranny prevailed, but, upon my word, the system of tyranny under this Bill far surpasses any ingenuity which ever occurred to such apprentices as those of the time of Charles I. They never thought of the tax which has suggested itself to the ingenuity of the Chancellor of the Exchequer. Perpetual imprisonment is the penalty by which failure to do all kinds of difficult duties is visited upon the unfortunate executor. I do not know who is going to be an executor. I asked a legal friend of mine that question. I said, "I do not think I shall ever take upon myself those responsible duties. Who would do it? You cannot make a man an executor." "No," he said, "you certainly cannot make a man an executor, but somebody will be found." "But why should anybody subject himself to perpetual imprisonment?" I asked. He said, "After all, any tradesman who has got a debt due from the deceased, any creditor, will be able to take out letters of administration." "But," I said, "suppose the deceased leaves no debts?" "Surely," he said, "there will be the undertaker. The funeral expenses will have to be paid out of the estate, and if nobody else comes forward the undertaker will, I suppose." That is true, but I do think it is a serious consequence of this Budget if we are not only going to be buried by the undertaker, but when we die our estates are going to be managed by the undertaker. That is throwing on this interesting personage duties that he is ill qualified to perform. On this question of difficulty of collection there is this further point to be mentioned. I do not dwell upon it because it has been dwelt upon at length before. Observe that by this Bill you are going to collect your addition to the Death Duties from about 500 persons a year. That is the calculation that has been made by the hon. Member for King's Lynn (Mr. Gibson Bowles), and I do not think it has been contradicted by the Chancellor of the Exchequer. When the base of your system of taxation is so small the whole inverted pyramid will

be apt to topple over. You cannot depend on 500 persons dying in the year without subjecting yourselves to some very serious risks of failure. You are setting the wits—I will not say of the family solicitor, but even more acute intellects—to the task of trying to defeat the Exchequer. Of course they will fail in many cases, but do you doubt they will succeed in many others? Every man knows that at this moment donations amongst the living are going on in consequence of this precious financial scheme at a rate never heard of before. I do not question for one moment that there will be an amount of manipulation of these Death Duties which will greatly disappoint the Chancellor of the Exchequer. Observe how serious it is to depend on 500 persons a year. Of those 500 persons the duty is looked for from a comparatively small number of very rich men, and if they happen to give away their property during their lives your Budget is upset. The Chancellor of the Exchequer calculates that if Mr. A dies he will be able to get a new torpedo-boat or, at all events, meet some of the ever-pressing demands of his colleagues. Well, Mr. A does die, as was expected—I will not say desired—but when he dies it was found that some time before his death he disposes of his property to his son or nephew, or some relation, and because Mr. A has succeeded in carrying out that operation the finances of this country are embarrassed. I would ask whether anything can be so absurd as a system of finance which rests our annual Budget upon the ingenuity or dexterity of a few rich men, whom you expect to die within each year. Surely a tax like that cannot be described as one which fulfils the canon I have laid down—namely, that it will be easy of collection. It will not be easy of collection. It will be evaded at every turn, and you will find yourselves greatly and quite unnecessarily embarrassed in carrying on the financial work of the country. There remains but one other point that I have got to deal with, and it is a most important one. When all is said and done, is this tax a just tax? Hon. Gentlemen now doing us the honour of most kindly listening to me and who have attended to the Debates must know that on this

side of the House we have from time to time brought forward a very large number of hard cases. It may be said that hard cases must occur under every system of taxation. That is no doubt true, and if the hard cases formed but a small proportion of the whole I should say nothing more about it. But do they bear a small proportion to the whole? We have appealed to the Chancellor of the Exchequer whenever we have brought forward these hard cases, and we have never been met in argument. We have never been shown that the case is not a hard one, but have only been told that the Exchequer could not afford to have that particular hard case dealt with; and that has been said not of one only, but of each that has occurred. The inference is that it is a Budget of hard cases. Each of these hard cases really makes such a breach in the amount of money to be collected under this tax that these hard cases taken together and aggregated form a large portion of the whole amount of the Revenue. I admit that a few hard cases do not count, but if a very large amount of the whole taxation is to be raised by these hard cases, then the injustice of your plan stands exposed by your own arguments, and you stand committed yourselves to be the advocates of a Budget intrinsically unjust. I shall not dwell on these hard cases; I shall only mention three of them in a sentence each. In the first place, observe that one property by the mere accident of death may be taxed to half or more than half its total amount in a very small number of years. Is that just? It is not just, and nobody can pretend that it is. In the second place, you tax a man not for what he gets but for what he leaves, not according as he benefits by property, but simply and solely according to the amount of the wealth of the man who leaves him the property, an amount which, so far as he is concerned, is a pure accident, and has no relation whatever to his property or to his power of bearing any of the burles imposed upon him. In the third place, you do not even carry out your own principle of taxing a man according to what he leaves. You tax him not upon property which he has enjoyed, but upon property which by some technical and arbitrary method of computation

you assert to have passed at his death but which he has never enjoyed. I have only left myself one moment to talk of a matter which to me and to our Friends on this side of the House appeals as much or even more than any other. The Secretary for India to-night told us that equality was the principle of the Budget. He was alluding to taxation as between personalty and realty. I have no objection to that principle. If you gave us equality I should not say a word against your Budget, but you do not give us equality. You talk of equality. Equality is on your lips, but very far, I hope, not from your hearts, but at all events from your Budget. The right hon. Gentleman practically admitted that there was a hardship in connection with local taxation. He said it deserved inquiry. He thought the time would come, he even thought it had come, when an inquiry might be instituted into the relative incidence of local taxation upon realty and upon personalty. Would it not have been better to have had that inquiry before you tried to equalise your Death Duties? If the matter deserves investigation, does it not deserve investigation before you make your plan, and not after? The Chancellor of the Exchequer has boasted that he at least, and he alone among all financiers, has placed the finances of this country upon an equitable basis, and his chief supporter in the Cabinet comes and tells us that that branch of taxation, not least important and not least onerous, which is given to public purposes, but given to public purposes through Local Bodies, still requires investigation and still requires equalisation. Until we know how that is to be dealt with and equalised, is it not folly to come down to us and ask us to accept with gratitude the equalisation of half only of the burdens which fall upon British citizens for public purposes? The Budget, then, is not simple; it is not easy for those taxed to know what they have to pay. It will not enrich the Treasury at the least possible cost to the taxpayer; it is not easy of collection; and, above all, it is not just. What, then, are we to say of it? That it is democratic! I never could understand why that democracy which we all serve, and whose interests are first with all of us,

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should be saddled with every scheme which is more than peculiarly absurd and more than peculiarly unjust. What have our fellow-countrymen done that they should be made responsible for these absurdities? As far as I know anything about them—and I suppose I know as much about them as my neighbours—they are very honest, honourable, intelligent gentlemen, who desire nothing more than to see justice done as between class and class, and a fair system of taxation carried out in this country, irrespective of the social position or any other accident of those who have to pay the money. Why should we foist upon these people the folly for which the Chancellor of the Exchequer and his majority alone are responsible? Why should we describe that as democratic which, after all, is merely crude, ill-considered, and hasty? I do not wish to attack the motives of the Chancellor of the Exchequer, but I am bound to say that I think he has lost a great opportunity. He has spoken to us sometimes in the spirit of an accountant and sometimes in the spirit of a demagogue, but never, or hardly ever, on this question has he addressed us as a statesman. No man is more capable of doing so when he chooses, but on this Bill, and on this Bill especially, he has alternated between a pettifoggish desire—[*Cries of "Oh!"*—] I admit it was an improper phrase, and I withdraw it. He has been animated either by a desire to drag every sixpence into the Treasury or a desire to draw a few cheers from Gentlemen behind him, and those whom they represent, upon what he calls the virtues of his democratic Budget. I do not think either of those motives are of a kind which should animate those who guide our destinies in financial matters. He has aimed by this Budget a blow at the Income Tax, he has aimed a blow at the Death Duties, he has aimed a blow at the Excise. Every settlement will have to be revised, every will will have to be altered, everything is destroyed by it and nothing created, and I prophesy as the only permanent result of the revolution of which he is the author, that future Chancellors of the Exchequer, and future Parliaments will be engaged in the weary task of revising the Bill, which with such trouble and at such cost of labour we have been

endeavouring during the last few months to lick into shape. I feel confident that neither the financial necessities of this year, nor the necessities of years to come, require this particular expedient, and it is because I think the Budget bad in itself, and because I think it would be easy for others to substitute other Budgets to meet our necessities not open to the same objection, that I ask this House without misgiving to give their vote in the Lobby in order to prevent this unhappy measure—"Oh, oh!"—this unfortunate measure—being placed on the Statute Book.

*THE CHANCELLOR OF THE EXCHEQUER (Sir W. HARCOURT, Derby): I presume that if the right hon. Gentleman had wished or expected that I should make an elaborate reply to the speech to which we have just listened, he would have left me some time to do it in. I do not complain, because it is needless. The first remark the right hon. Gentleman made is one with which I cordially agree. He said that this discussion has "dragged its slow length along." If that has been true for the last two months, I think those who know the House of Commons would say it is eminently true of the Debate to-night. I wonder the right hon. Gentleman did not complete the couplet from which these words are taken, and I would say to him—

"A needless Alexandrine ends the song,

Which, like a wounded snake, drags its slow length along."

That is the position which the leaders of the Opposition occupy to-night with reference to this Budget. One cannot help feeling the unreality of this Debate. If it were true that the Opposition really contemplated overthrowing this Budget, to destroy in the presence of a great deficit the financial arrangements of the Empire at the end of July, it would be the most reckless and unscrupulous proceeding of which any Parliamentary Opposition had ever been guilty. But I acquit them of it. They have not the smallest desire to upset it. They dare not take the responsibility of doing it. The right hon. Gentleman has told us with the greatest candour what his own policy would be. He says I have lost a great opportunity, and that I might have brought in the Budget he has sketched.

What was that Budget? It was an Income Tax without exemptions for Schedule A. That is the first part of the opportunity I have lost. Indeed, he says he would have left the exemptions of the lower scale, but then he has got a Chancellor of the Exchequer sitting by him who has denounced that as the worst and most profligate system of finance that could be introduced. He would have found himself to-morrow in the unfortunate position of being deprived of these exemptions or of his future Chancellor of the Exchequer. He then revealed to me a fact of which I was not fully conscious, that the policy of the Opposition is to put 3d. a barrel on beer, and 3d. a gallon on spirits. I do not know whether that is received with favour altogether by his supporters below the Gangway. That is the Budget of the Opposition. That is the great opportunity I have lost, the not having brought forward a Budget of which I think any man might be ashamed. But, Sir, he did reveal the fact that it was a Budget that would leave us with a deficiency of £650,000. But I can tell the right hon. Gentleman where he would have found that £650,000. He would have found it from the Chancellor of the Exchequer, who sits by him, in striking off the exemptions on the lower scale of the Income Tax. That would have brought him an equilibrium, and probably a slight surplus. Well, this is the financial policy of the great Unionist Party. He says that I need not have dealt with the Death Duties, but I venture to tell the right hon. Gentleman that if instead of a deficit of £2,500,000 I had had a surplus of that amount I would still have attempted to deal with the Death Duties. He asks me what I will do with the surplus which arises from them in future years? He also asks whether that is to meet further expenditure? I hope not. If that surplus should accrue, I hope it will be devoted to diminishing the taxation of the people. If by imposing a just tax you may remit oppressive taxation, that, in my opinion, is the soundest principle of finance. I am not going to weary the House to-night by going over and over again the arguments which have been banded from one side to another now for the last two months; but, if the House will bear with

me for a few minutes, I do desire to say a few words for the purpose of removing apprehensions which seem to me to be altogether unfounded. I listened with respect and with sympathy to the able, and I might almost call it the pathetic, speech of the hon. Member for Liverpool. He spoke of the distress and the difficulties in which the landed interest would be placed. He rather reproached me for not having encouraged the principle of insurance—the hon. Gentleman used the phrase that I have prevented insurance. I have not prevented insurance. If I had wished, to do so I could not have done it, and nothing has been further from my desire; but I have received information from many Insurance Companies on this point. I will not mention their names lest it might be thought I desired to advertise them. But there is one respectable company which makes this statement—

"It will be observed that the rates are brought down to exceptionally low figures, and the reduction will, in the great majority of cases, be more than equivalent to the duty on the policy moneys, thus getting over the difficulty occasioned by the proposal to exempt these from duty."

Thus the Insurance Companies have reduced the rates below the amount of the duty. When I am told that these enormous charges are going to ruin great estates, to shut up great houses, will the House allow me to cite one or two figures bearing upon this point? I will take a man leaving the conventional million. There are happy people in this country who leave several millions, but I will content myself with one. I will take the case of personality first. The man will be subject under this Bill to an additional payment of £40,000. The rate offered by this Insurance Company is £25 11s. per annum at the age of 40 for each £1,000, and £37 10s. at the age of 50. In order to cover the additional Death Duty of £40,000 the present owner would have to pay £1,020 per annum at the age of 40 or £1,500 at the age of 50. [An hon. MEMBER: Provided he is a good life.] To say that a man with this fortune who has to lay by £1,000 or £1,500 a year at the age of 40 or 50 is going to shut up his palaces, to dismiss his labourers, to invest all his money, as the right hon. Gentleman says, in real estate abroad, is really the most extravagant and absurd

statement that I ever heard. Why, a man with that fortune loses more money than that in an afternoon upon a race-course. It is the price of a moderate two-year-old. Yet we are told that these houses are to be shut up, that the labourers and the servants are to be dismissed, and that the public are to be excluded from that which they have hitherto enjoyed. I will take the case of a more moderate fortune. The additional charge upon a man who leaves £100,000 is £1,500, and to insure against that at the age of 40 would cost £38 a year, and at the age of 50 he would have to pay £56 a year. The representation that taxation of this kind is going to destroy families and shut up houses is devoid of foundation or fact. I turn now to the benefits which will be enjoyed by the smaller people under this Bill. I want the House to consider this: A man leaves personalty of £500 net. That will be the case of the small farmer, the small tradesman, the clergyman, clerks, with various employments, and people of that description. The absolute minimum he now pays on that is £10, and it might be as high as £59 in the case of collaterals or strangers. Under this Bill the absolute maximum will be £5. That is the advantage he will get under the Death Duties. Supposing that man had an income of £200 per annum, he gets additional relief under the Income Tax in the Budget at the rate of 8d. in the £1, he would get an advantage of £1 6s. 8d. per annum. This relief would discharge the whole of his Death Duties in four years. This is what is called by gentlemen opposite an unjust Budget. I want to give one example also of real property. Take a freehold house and land of £10 per annum at 20 years purchase. That would be £200. In the case of lineals that property pays now, at the age of 44, Succession Duty on £140, 1½ per cent.—that is, two guineas. It will pay hereafter 30s. If it was worth double that £20 per annum it would now pay four guineas. Under the Bill it will pay 50s. Therefore, with reference to these classes, I venture to say classes as deserving of the attention of this House as any class of the community, there is a double relief given, a relief under the Death Duties and relief under the Income Tax. You

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may overthrow this Budget if you will, and if you can; but depend upon it you will not thereby secure the support or the approval of this class of the community. The right hon. Gentleman talks about foreign investment here and property going abroad. Do you think that men who carry their millions abroad are going to make a better thing on it? That has not been the experience in the last 10 years. Why, if the right hon. Gentleman himself tries that experiment I am quite sure he will find that he is far better off in the Lothians than he is likely to be even in Argentine. I do not desire to occupy any further the attention of the House. We have laid before the House what, at all events, we consider to be a fair and a just financial arrangement. We have endeavoured in dealing with a heavy deficit to so arrange it that the burden shall fall upon those who are best able to bear it. There has been every opportunity of testing that plan to the utmost. I am quite willing to take, first of all, the judgment of this House upon it, and then I will take upon it the judgment of that democracy which the right hon. Gentleman has truly described as a just and a sensible people. And as I believe that to-night for this Budget we shall have the sanction of the House of Commons, so I know that we have already the approval of the people of this nation.

Question put.

The House divided :—Ayes 283 ;
Noes 263.—(Division List, No. 186.)

Main Question put, and agreed to.

Bill read the third time, and passed.

BRITISH MUSEUM (PURCHASE OF LAND) BILL.—(No. 315.)

SECOND READING.

Order for Second Reading read.

*THE SECRETARY TO THE TREASURY (Sir J. T. HIBBERT, Oldham) : I beg to move that this Bill be read a second time. Its object is to provide for the purchase by the Trustees of the British Museum of certain lands and buildings belonging to the Duke of Bedford which are situate in the immediate

vicinity of the Museum. The Bill empowers the Treasury to borrow £200,000 from the National Debt Commissioners for the purchase of the property, and provides for the repayment of money lent to the Treasury for this purpose by an annuity of such amount that the loan shall be repaid at the end of 50 years, together with interest at the rate of 3 per cent. per annum. The Bill also provides that the property when purchased shall be managed in such manner as the Treasury may direct, and that the net rents and profits accruing therefrom shall be paid into the Exchequer.

Motion made, and Question proposed, "That the Bill be now read a second time."—(Sir J. T. Hibbert.)

Motion agreed to.

Bill read a second time, and committed for Thursday.

ACCESS TO MOUNTAINS (SCOTLAND) BILL.

MOTION FOR LEAVE.

Motion made, and Question proposed, "That leave be given to bring in a Bill to secure to the public the right of Access to Mountains and Moorlands in Scotland."

THE PRESIDENT OF THE BOARD OF TRADE (Mr. BRYCE, Aberdeen, S.) : It may be in the remembrance of hon. Members that a Bill with objects similar to those which are sought to be attained by the present Bill was brought in by the late Government without any opposition or explanation. In these circumstances I hope that no objection will be raised to the introduction of this measure.

THE MARQUESS OF CARMARTHEN (Lambeth, Brixton) : I object.

MR. BRYCE : I need hardly say that I should not propose to proceed with the Bill any further on this occasion if I found that it received any opposition. All I desire is that the Bill should be read a first time in order that it may be printed and considered as an expression of the views of the Government in this matter. If hon. Members opposite then object to it, they know as well as I know that at

this period of the Session there will be no opportunity of proceeding with it. Therefore, I hope hon. Members opposite will not press their objection to its being brought in.

Further Objection being taken,

Motion postponed.

LOCAL GOVERNMENT (IRELAND)
PROVISIONAL ORDERS (No. 14) BILL.

Lords Amendments agreed to.

TRAMWAYS ORDERS CONFIRMATION
(No. 1) BILL [*Lords*].—(No. 306.)

Read a second time, and committed.

TRAMWAYS ORDERS CONFIRMATION
(No. 2) BILL [*Lords*].—(No. 307.)

Read a second time, and committed.

PUBLIC LIBRARIES (IRELAND) ACTS
AMENDMENT BILL—(No. 170.)

Reported from the Select Committee, with Minutes of Evidence.

Report to lie upon the Table, and to be printed. [No. 223.]

Bill re-committed to a Committee of the Whole House for Monday next, and to be printed. [Bill 317.]

VOLUNTEER ACTS.

Report from the Select Committee, with Minutes of Evidence and an Appendix, brought up, and read.

Report to lie upon the Table, and to be printed. (No. 224.)

MESSAGE FROM THE LORDS.

That they have agreed to,—Pier and Harbour Provisional Orders (No. 3) Bill; Pier and Harbour Provisional Orders (No. 4) Bill; Local Government Provisional Orders (No. 11) Bill, with an Amendment; Prevention of Cruelty to Children Bill; Local Government Provisional Orders (No. 13) Bill.

CONTEMPT OF COURT BILL.

On a Motion of Mr. M'Cartan, Bill to amend the Law relating to imprisonment

Mr. Bryce

for Contempt of Court, ordered to be brought in by Mr. M'Cartan, Mr. E. J. C. Morton, Mr. Sexton, Mr. Byles, and Mr. Knox.

Bill presented, and read first time. [Bill 318.]

CROWN LANDS BILL.

Ordered,—That Sir J. T. Hibbert, Mr. Jeffreys, Mr. Scott-Montagu, and Captain Sinclair be Members of the Committee, with three Members to be added by the Committee of Selection.—(*Mr. T. E. Ellis*.)

SUPERANNUATION ACT, 1887.

Copy presented,—of Treasury Minute, dated 10th July 1894, granting a retired allowance to James Hepburn, Postmaster, Macclesfield, Post Office Department [by Act]; to lie upon the Table.

GREENWICH HOSPITAL AND TRAVERS' FOUNDATION.

Copy presented,—of Statement of the Estimated Income and Expenditure of Greenwich Hospital, and of Travers' Foundation, for the year 1894-5 [by Act]; to lie upon the Table.

CANAL RATES, TOLLS, AND CHARGES
PROVISIONAL ORDER BILLS (JOINT COMMITTEE.)

Ordered, That the Commissioners of Public Works in Ireland have leave to appear by Counsel, Agents, and Witnesses, and be heard before the Joint Committee of Lords and Commons on Canal Rates, Tolls, and Charges Provisional Order Bills, in reference to the Canal Rates, Tolls, and Charges Provisional Order (No. 11) (Lagan, &c.) Canal.—(*Sir J. T. Hibbert*.)

CHURCH IN WALES (GLEBE AND TITHE.)

Order [31st May] for presenting an Address for Return relative thereto read, and discharged; and, instead thereof:—

Church in Wales and Monmouthshire (Glebe and Tithe),—Address for "Return, by parishes and counties, of the property of the Church in Wales and Monmouthshire in Glebe and Tithe Rent-charge, and from other sources."—(*Mr. David Thomas*.)

House adjourned at twenty-five minutes before One o'clock.

HOUSE OF COMMONS,

Wednesday, 18th July 1894.

ELECTION EXPENSES.

MR. J. ROWLANDS (Finsbury, E.): I beg to ask the Chancellor of the Exchequer whether, in view of the vote given on May 25th in favour of the payment of official expenses in connection with Parliamentary elections, it is the intention of the Government to bring in a Bill to carry out the Resolution of the House?

THE CHANCELLOR OF THE EX-CHEQUER (Sir W. HARCOURT, Derby): Yes, Sir; it is the intention of the Government to give effect to that Resolution.

COURSE OF PUBLIC BUSINESS.

MINISTERIAL STATEMENT.

SIR W. HARCOURT: Sir, the time has now arrived when we have to consider what arrangement can be made for the purpose of closing the Session within a reasonable time. As usual, the Government have to deal not with what they may wish, but with what is possible under the circumstances. The first thing that is clear is that it is impracticable to proceed now in the present Session with some of the great measures to which the Government is pledged, such, for example, as the question of the Church in Wales, the Registration Bill, and the Local Veto Bill. These, together with other measures, will be the work of the coming Session, but there is yet time within the compass of the present Session to accomplish some useful work which will be for the advantage of the country and the credit of the House of Commons. I will group these measures, as I ventured to do last year, in different categories. I will first take the legislative measures which the Government think they can fairly ask the House to dispose of in the next few weeks. I take, first, the Evicted Tenants (Ireland) Bill. That is a measure which we regard for many reasons as of pressing importance, and we shall accordingly deal with it first. The next in order is the Equalisation of Rates (London) Bill. That is a measure of vital interest to the poorer districts of the Metropolis. It is a Bill, I

believe, which cannot be regarded as controversial in the Party sense of the term, for I believe the great majority of the representatives of London on both sides of the House are supporters of that Bill. Now, the third measure, on which I think there will be very little question that we can dispose of it this year, is the Scotch Local Government Bill. From what has taken place in the Grand Committee upstairs, we have every reason to anticipate that that measure will not require a large portion of the time of the House, and it is obviously necessary and fair that Scotland should be placed in as good a position as England with regard to local government. I now come to a Bill which is not a Government measure. It is a Bill certainly which I cannot call uncontroversial. On the contrary, opinion is greatly divided upon it on both sides of the House, but it does not follow Party lines. I mean the Eight Hours (Mines) Bill. It has supporters and opponents upon the Benches on both sides of the House—I may say on the Front Benches of both sides of the House. It is a Bill, in our opinion, which raises several questions of the highest importance, and we are of opinion that the House of Commons ought to have an opportunity of pronouncing a judgment upon it this Session. Therefore, we shall give facilities at our disposal for that purpose. That concludes the list of the Bills which we think can be disposed of—Bills which we admit are of a controversial character—this Session. I now come to the second category of purely non-controversial Bills—Bills of a highly useful character. I mean Consolidation Bills; and I think it has always been felt that when great trouble has been taken in preparing these Bills, and they are Bills of a most beneficial character, the House of Commons ought to take the earliest opportunity of passing them into law. There are two Bills in this condition. One is the Merchants' Shipping Consolidation Bill, and the other is the Perjury Laws Consolidation Bill. It would be a great pity that the work bestowed on them should be lost. Then we come to the third category of what I will presume to call substantially uncontroversial Bills; and when I use the word uncontroversial I would take as a primary test of the question whether a Bill is uncontroversial or not, the opinion on that subject of the responsible Leaders

of the Opposition, I say that is the best test, but it is not the only test, and I do not exclude the judgment of other quarters of the House, because to do that would be to debar the independent Members of the House from dealing with small matters. I will now mention the Bills placed in that category. There is first the Building Societies Bill. That is a Bill in which great interest is taken by gentlemen opposite as well as by gentlemen on this side of the House. The right hon. gentleman the Member for Leeds and his colleague in the representation of Leeds are greatly interested in this Bill. I believe that this Bill is uncontroversial, and it is certainly one of very urgent importance. I hope that Bill will be allowed to pass. Then I come to another Bill, on which it is perhaps premature, during the negotiations which are going on with the Board of Trade, to say anything absolute. If there is a fair chance of a settlement being come to on that subject I think everybody will feel that the Railway and Canal Traffic Bill ought to be passed. Then I come to a Bill which I believe is uncontroversial—the Elementary Education Bill. Then there are two Bills belonging to the Home Office now in the House of Lords, which I believe may be treated as uncontroversial—one relating to quarries and the other to check weighers. Then there is a Bill for the facilitation of the settlement of labour disputes. My hon. Friend, I understand, is perfectly prepared to give a fair hearing to other Bills on that subject which have been brought forward, so that there may be no conflict. Then there is a Bill relating to the Contagious Diseases (Animals) Act; then there is a Bill which I understand from my right hon. Friend the Chief Secretary for Ireland may probably be put into the same category—I mean the Elementary Education (Attendance Committee) Amendment Bill. [*Laughter.*] Well, perhaps my right hon. Friend is too sanguine. Now, when these legislative measures are disposed of—it will no doubt take some days to examine this matter—we can then proceed to take the Indian Budget. [*Laughter.*] I do not know why there should be this repeated laughter. My opinion is that the Indian Budget is a question of importance, dealing as it does with vast considerations connected with the Indian

Empire. I think the question is one which requires that we should give to it great consideration, and that we should give it that consideration at an earlier period than hitherto, which has generally been at absolutely the end of the Session. And then we shall propose to proceed with Supply. I will say that we believe, allotting reasonable time for these matters, the House may well rise before the end of the month of August. I have now only to add that it will be necessary to take a Vote on Account on Monday, the 30th. It will be necessary to obtain the Royal Order on August 1. We propose, therefore, to take the Vote on Account on the 30th, leaving the 31st for the Report, and then on August 1 the Royal Order, which it is necessary to obtain. I think I have now finished.

DR. MACGREGOR (Inverness-shire): What about the Crofters Act Amendment Bill? • [*Loud laughter.*]

SIR W. HARCOURT: I am really very glad to see that the House is in an excellent humour, and I may hope from those indications that we may put the Crofters Act Amendment Bill into the category of uncontroversial measures, thus adding one more item to the list already given. As to the list I have placed before the House, no doubt there are many of these Bills which will not occupy any appreciable time. They are thoroughly uncontroversial, and I hope I may suggest to hon. Gentlemen on both sides that it belongs to the credit of the House of Commons that they will deal with these uncontroversial measures in that spirit.

MR. A. J. BALFOUR (Manchester, E.): I shall defer until I have had time to reflect further upon it any observations on the large and important programme of Public Business which the right hon. Gentleman the Chancellor of the Exchequer has laid before us—a programme, perhaps, more suited to the beginning of the Session than the close of it. I will only ask him what arrangements he is making for Supply? reminding him that there is about a month's work left in Supply, judging by ordinary experience. We are now in the middle of July, and we are told that we are going to close the Session at the end of August, so that there are ten days left for all the other controversial work—the Evicted Tenants Bill, the Equalisation of Rates Bill, the Local Govern-

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ment (Scotland) Bill, the Eight Hours Bill, and the Vote on Account. I should like to put a question to the right hon. Gentleman referring to the promise he made earlier in the Session with regard to a day for discussing Indian finance. He has just told us that the Indian Budget is to come after that lengthy list of controversial measures which he has just read out. I presume, therefore, it would come on about the end of October or the beginning of November. I think that is rather too long to wait, and, therefore, I would ask him what steps he proposes to take to fulfil his promise? I do not know, also, what the right hon. Gentleman exactly means to do with regard to the Miners (Eight Hours) Bill. He tells us he intends to give such facilities as the Government have at their disposal. Does that mean that the Bill is going to be introduced in the interstices between the various stages of the discussion on the Evicted Tenants Bill, or are we to proceed *de die in diem* with that very large and important measure at some period in August or September? I would further ask the right hon. Gentleman whether he is aware that, although the question of the equalisation of rates in London has received a large measure of assent on both sides of the House, the particular plan by which it is proposed to be carried out will certainly arouse the liveliest, and, I should say, a rather prolonged, controversy? With regard to the Local Government (Scotland) Bill, the right hon. Gentleman has told us that certain modifications which the Government have recently made upon it while before the Grand Committee would probably facilitate its passage through the House. To that I have nothing to say, but I suppose from the time it has taken in the Grand Committee that a day or two at the least will be required for a full discussion of it on the Report stage. I abstain—indeed, I have no right to make a speech at the present moment—from further comment on the plan which the right hon. Gentleman describes as one for rapidly winding up the Session. I simply ask for a reply to the two or three questions I have addressed to him.

SIR D. MACFARLANE (Argyll) said, he should like to ask the Chancellor of the Exchequer whether it was possible to give a Saturday Sitting for a small

measure called the Crofters Act Amendment Bill. [*Cries of "No, no!"*] Hon. Members cried "No!" but did the right hon. Gentleman think it would be possible for the Representatives of Highland constituencies to continue in attendance at Westminster for an indefinite time unless this measure was given the support of the Government and brought forward at a specific date?

MR. HOWELL (Bathnal Green, N.) said, he should like to know whether the right hon. Gentleman, in his list of measures that would be taken that Session, had not by mistake omitted to mention the Copyhold Consolidation Bill?

*SIR C. W. DILKE (Gloucester, Forest of Dean) said, there was a measure of very great importance to Trade Unions throughout the country—the Factories Bill—which had not been mentioned by the Chancellor of the Exchequer. Was not the measure less controversial and more likely to get through than the Conciliation Bill on Labour Disputes to which the right hon. Gentleman had referred?

COLONEL NOLAN (Galway, N.) asked whether a day, or half a day even, could not be promised to consider the Bill for the repeal of the Crimes Act?

SIR W. HARCOURT: It is impossible for me to increase the list of Bills I have already read out. The right hon. Gentleman the Leader of the Opposition has given us his conception of what Parliament can do and ought to do. I have proposed that the Indian Budget should be taken after we have disposed of three Bills—[An hon. MEMBER: Four, including the Miners (Eight Hours) Bill]—and he says that in order to dispose of those Bills, one of which he admits will only take a day or two, we shall be at the end of October or the beginning of November before we come to the Indian Budget. Therefore, his conception of the manner in which the House of Commons is to do its business seems to be this—that in order to dispose of measures of that character you must take half July, all August, all September, and all October. That is really a view of the matter that I cannot agree with.

MR. A. J. BALFOUR: I rise to Order. I have no objection to the right hon. Gentleman making a speech, but I should like to know whether I shall be allowed to reply to him?

SIR W. HARCOURT: I thought I was asked to answer questions.

*MR. SPEAKER: I think it is better on the present occasion to avoid all controversial questions and arguments.

SIR W. HARCOURT: Then I will answer the question briefly in this manner. I do not think that these Bills will take to the beginning of November, and therefore I anticipate that the Indian Budget will come on before that date.

MR. WOODS (Lancashire, Ince) said, he should like to know from the Chancellor of the Exchequer himself, after the remarks of the Leader of the Opposition, who seemed to cast some doubt upon his meaning, whether the Government intended to give ample facilities to get the Miners (Eight Hours) Bill through the Committee stage, and whether it would be possible to take that stage immediately after the Second Reading of the Evicted Tenants Bill—at any rate, at what particular stage of the Session the Government intended to give the promised facilities for discussing that important measure?

MR. J. WILSON (Durham, Mid) said, he thought the time had arrived when hon. Members should have a definite statement given them as to the real intentions of the Government in regard to the Miners (Eight Hours) Bill. He asked the Chancellor of the Exchequer to make there and then a plain statement of what he meant when he used the words, "the Government intended to give facilities" for taking the discussion on that Bill. It was not a matter of discourtesy on his part to say that he was of a different opinion to the right hon. Gentleman when he said that this was a Bill which would bring benefit to the country and credit to the House of Commons. He wished to know whether the facilities which the right hon. Gentleman intended to give were such as were stated by the right hon. Member for the Forest of Dean last Saturday, when he stated that the Chancellor of the Exchequer and the chief Government Whip had promised to give them sufficient time for the passing of the Bill?

*SIR C. W. DILKE: Those are not the words that I used, and they are not in the least like the words I used. I quoted the actual statement made by the Chancellor of the Exchequer.

MR. J. WILSON said, he had been reading from a newspaper report. Were *these facilities* such as were meant by

the hon. Member for the Ince Division (Mr. Woods) and the hon. Member for Normanton (Mr. Pickard) when they said that, if full facilities were not given for the passing of the Bill, they would consider the advisability of shifting their loyalty from one Party to the other?

MR. WOODS: I never made any such statement at all.

SIR W. HARCOURT: I think I had better make my own statement. The hon. Gentleman, I fear, was not very fortunate in his authority.

MR. J. WILSON: I have the authorities here. If the report is accurate the hon. Member for Ince said they "would force the Government to pass the Bill," and the hon. Member for Normanton said that "they would consider the advisability of shifting their loyalty."

SIR W. HARCOURT: I cannot answer for what hon. Members said they would do. That, of course, rests with themselves. I have never said that the Government would undertake to pass the Bill. I have always stated that the Members of the Government, like the Members of the Front Opposition Bench and Members of both sides of the House, are divided in opinion on this subject. I have never stated anything more than this—that I thought it was a matter of such importance that the House of Commons ought to have an opportunity of giving a decision upon it. I never pledged the Government to pass the Bill or to take measures to pass the Bill. What I have stated—and I never concealed it in any way—is that I thought the Government, having taken the whole time of the House, and this Bill having a favourable position by which the opinion of the House might, in respect of it, be arrived at—the Government, I said, were bound to use their control of the time to give facilities for the House to pronounce an opinion on the Bill.

MR. FIELD (Dublin, St. Patrick's): May I ask the right hon. Gentleman if he has made up his mind as to the course he will take with regard to the Coercion Bill?

MR. J. CHAMBERLAIN: In reference to the answer just given by the Chancellor of the Exchequer, I wish to ask the right hon. Gentleman whether, when he states that, in his opinion, the House ought to pronounce an opinion on the Eight Hours Bill, he means that he

will give sufficient time to enable the House to pass the Bill through Committee? I may remind him that the House has already given an opinion on the Bill by passing the Second Reading.

SIR W. HARCOURT: I have no hesitation in saying that if the House, having passed the Second Reading, expresses the opinion that the Bill ought to pass, the House ought to have that opportunity.

MR. T. W. RUSSELL (Tyrone, S.) : I wish to ask the right hon. Gentleman with regard to a Bill which he calls non-controversial—the Irish Education Bill. We have understood that hon. Members opposite object to the passing of that Bill unless concessions were made on the point of the Christian Brothers. I wish to know whether, at the fag-end of the Session, the right hon. Gentleman proposes to introduce into that Bill the proposals of hon. Members opposite with regard to the Christian Brothers?

MR. LEGH (Lancashire, S.W., Newton) : I may remind the right hon. Gentleman that he has not answered the question put to him as to when facilities are to be given for the Eight Hours Bill, and when the Bill is likely to be discussed.

MR. WEIR (Ross and Cromarty) : I wish to ask the Chancellor of the Exchequer whether it is not the fact that he, the late Prime Minister, and the Secretary for Scotland have, Session after Session, promised to press forward a Bill to give to the Highland crofters holding under lease the benefits of the Crofters' Act, and that that Bill has been introduced?

SIR D. MACFARLANE : Will the right hon. Gentleman kindly answer the question that I have put to him?

MR. SNAPE (Lancashire, S.E., Heywood) : As to the Local Veto Bill—[*Opposition laughter*].—I wish to ask whether it is the intention of the Government, if the Bill is relegated to next Session, to give it one of the most prominent and earliest positions in the Government programme? As no mention has been made by the Chancellor of the Exchequer of the Bill for the payment of Members and for the abolition of plurality of votes, I should like to know whether in the next Session of Parliament that measure will also have a prominent position?

SIR W. HARCOURT : As to the Irish Education Bill, unless we are satis-

fied that the measure is practically accepted by both sides of the House, we shall not go on with it. We entirely recognise our responsibilities in passing a measure dealing with the crofters' holdings, but, unless we have more reason to believe than we have at present that the Bill would not be strongly opposed, I see no chance of being able to pass it this Session. We propose to give facilities for the Eight Hours Bill as soon as we have disposed of the three Government measures—that is to say, the Evicted Tenants Bill, the Equalisation of Rates Bill, and the Local Government (Scotland) Bill. In our opinion, those Bills cannot take a very long time. I do not believe the Equalisation of Rates Bill will last through August, September, or October. I do not believe that either the Local Government Bill or Evicted Tenants Bill is going to last many months; and, in these circumstances, we intend to give facilities to dispose of these Bills. As to the Local Veto Bill, all I can say is, speaking for myself, that the intention of the Government to press on that measure is unchanged, and will not be changed.

***SIR C. W. DILKE** : I should like to ask whether inquiry can be made as to a general desire on the part of the representatives of the working classes to press forward the Factory Bill for consideration as against the Conciliation Bill, which is by no means generally accepted?

MR. W. REDMOND (Clare, E.) : Can the Chancellor of the Exchequer give a day or two days before the House rises for the Committee stage of the Bill for the repeal of the Crimes Act? If this cannot be done this Session, will the right hon. Gentleman give a distinct and definite pledge that a couple of days will be given to the measure when Parliament meets again? Is it the intention of the Government to finish all the stages of the Evicted Tenants Bill before proceeding with the Equalisation of Rates Bill and the Local Government (Scotland) Bill?

SIR W. HARCOURT : After the Second Reading of the Evicted Tenants Bill there must be an interval before the Committee stage, and during that interval we should proceed with the Second Reading of the Equalisation of Rates Bill. After that we shall go on with the Evicted Tenants Bill. As to

the repeal of the Crimes Act this Session, it must be obvious that it is a Bill which we could not, in face of the opposition it will meet, proceed with this Session; and, as to a future Session, it must be obvious to the House that I have enough to do to deal with the measures of the present Session. I must decline to enter on an anticipation of the Queen's Speech of next year.

MR. DARLING (Deptford): Will the Government during this Session give facilities for the passing of a Bill which has made progress in the House of Lords dealing with Anarchists and aliens—[*Laughter*—and with those who make this country a refuge to conspire against foreign countries?

SIR W. HARCOURT: No, Sir; certainly not.

MR. W. REDMOND: Is the right hon. Gentleman not aware that the Bill for the repeal of the Crimes Act contains a single clause which might be dealt with in Committee at one sitting, or at the most two sittings? Are we to understand that he cannot give a pledge or an undertaking that if before the end of the Session two days cannot be given he will when Parliament meets again give the time for the passage of the Bill?

SIR W. HARCOURT: I have already said that I cannot undertake to settle the programme of next Session. I have experience enough of a Bill of a single clause, which is capable of being multiplied into many clauses, and to serve for the foundation of many Amendments upon it. There might be proposals to maintain particular parts of the Crimes Act. In answer to the right hon. Member for the Forest of Dean, I have to say that I have made inquiry with reference to the Bill of which he spoke, and I learn that, though great importance is attached to it, it cannot be regarded as non-controversial, and therefore capable of being put in that category.

SIR M. STEWART (Kirkcudbright) said, he should like to know from the Chancellor of the Exchequer the order in which the Bills were to be taken?

SIR W. HARCOURT: Our present intention is to take, after the Evicted Tenants Bill, the Equalisation of Rates Bill, and then the Local Government (Scotland) Bill.

SIR J. PEASE (Durham, Barnard Castle): Does the right hon. Gentleman propose to leave the Indian Budget and

all Votes of Supply until after facilities have been given for the Eight Hours Bill?

MR. EVERETT (Suffolk, Woodbridge): I hope the Chancellor of the Exchequer will see his way to give the promised day for the discussion of Indian finance.

MR. T. M. HEALY (Louth, N.): Does the Closure Rule apply to questions?

*MR. SPEAKER: It may seem a singular statement to make, but as a fact there is no Question before the House.

SIR G. BADEN-POWELL: Do I understand that there is no Vote in Supply to be taken until after the four main Bills of the Government?

SIR W. HARCOURT: There will be a Vote on Account.

MR. J. CHAMBERLAIN: What is the business for to-morrow?

SIR W. HARCOURT: The Second Reading of the Evicted Tenants Bill.

MR. BYLES (York, W.R., Shipley): If the Leader of the Opposition is right in his opinion, and this programme of legislation takes somewhat longer than the Chancellor of the Exchequer anticipates, will he undertake that the House shall sit on until these arrears of legislation are overtaken?

SIR T. LEA (Londonderry, S.) asked the Chancellor of the Exchequer whether he would put the Expiring Laws Continuance Bill in the same form as that in which it had hitherto been passed; whether it would include the Irish Sunday Closing Bill, which had been so renewed for the last 13 or 14 years; whether he would not, under the circumstances, accept the declaration of the late Prime Minister and of the Leader of the Opposition that the condition of this question was discreditable; and whether he would not this Session attempt to pass the amending Irish Sunday Closing Act? Would he not, in order to put an end to the position of things described as disgraceful, include that measure in the Expiring Laws Continuance Bill?

SIR W. HARCOURT: The Expiring Laws Continuance Bill will be in the same shape as hitherto—at all events, as regards Ireland and this Bill. I am afraid that there are a great many Bills in a discreditable position, and I should be glad to amend it: but it is rather late in the day now.

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MR. A. J. BALFOUR: The Chancellor of the Exchequer has not answered the question about a day for the discussion of Indian finance. I will also ask him to tell us what, I imagine, goes almost without saying, that the five Bills now on the Paper as Government Bills, and to which he has made no allusion—namely, the Fatal Accidents Inquiry (Scotland) Bill, the Surveyors (Ireland) Bill, the Dogs Bill, the Limitation of Actions Bill, and the Supreme Court (Officers) Bill, will all be dropped.

SIR W. HARCOURT: I do not propose to ask the House to go on with any Bills except those which I have mentioned. The Government have considered them as carefully as they could, and have formed their own opinion as to what are controversial Bills; but they are prepared to be governed by the opinion of the House, and especially by the opinion of the Front Bench opposite, on this subject. I repeat that we do not propose to go on with any Bills except those I have mentioned. As regards the day for the discussion of Indian finance, I fully recognise the pledge which the Government have given; and I will confer with the right hon. Gentleman opposite as to a day convenient for that purpose.

MR. W. REDMOND: May I ask the Chancellor of the Exchequer another question—whether he will give me a day for discussing the action of the Government in knocking me down in my own constituency?

[No answer was given.]

ORDERS OF THE DAY.

SUPPLY — COMMITTEE.—ARMY ESTIMATES, 1894-5.

SUPPLY,—considered in Committee.

(In the Committee.)

1. £257,600, War Office, Salaries, and Miscellaneous Charges.

MR. COHEN (Islington, E.) said, that he desired on this Vote to say a word on behalf of the Second Division clerks in the War Office, in whom, as the right hon. Gentleman knew, he (Mr. Cohen) had long taken a deep interest. He should not detain the Committee more than a very few moments, but he desired to say at the outset that he was

not urging these claims in consequence of any pressure put on him by the clerks themselves. The right hon. Gentleman knew from the correspondence in *The Times* that the subject attracted great attention outside as well as inside this House, and, he would add, in all parts of the House. He deemed it the less necessary to trouble the Committee with any details of the case of the Second Division clerks, because he knew that not only was the right hon. Gentleman very familiar with all the particulars, but he had been good enough to give a personal interview to the clerks, to inquire personally into their grievance, and, if he was not mistaken, to express himself in sympathy with their aspirations, and impressed with the facts they had laid before him. That being so he thought his right hon. Friend would appreciate the Second Division were more than disappointed, and were becoming despairing that so much sympathy and such expectations as they formed, not to say assurances held out to them, remained absolutely barren of result up to this moment. The Committee would perhaps remember that what the Second Division asked was that they should now and again have a share of promotion into the First-Class. These chances were rare enough. Owing to the reduction decided on, only one vacancy arose for every four retirements in the First Division. He believed there were now over 20 young men in the First Division all of whom had been promoted from outside, and his right hon. Friend knew from tables that had been placed before him that in 10 years if the present system was pursued the whole First Division would be manned by young men, junior not only in years but in service to those over whom they were placed. The present system could not be defended on the ground of economy or of efficiency. It could not be economy, because, as had been proved to the Secretary of State, the recognition of the claims of the Second Division would result in a saving of £2,000 a year to the Exchequer; and in this House on the 29th of March last the Chancellor of the Exchequer said that when a Second Division clerk was competent it was just and advantageous that he should be promoted to the First Division, as had been repeatedly advocated in the Reports of Royal Commissions, and notably in the Ridley Commission of 1884. It could not be efficiency, because

his right hon. Friend had repeatedly admitted that there were several Second Division clerks fully qualified for the promotion they asked, and on the 6th of February, 1893, in reply to the hon. Member for Donegal, his right hon. Friend stated there were then in the Second Division men qualified for First Division duties. Again, as to promotion to staff posts, on the 11th of March, in reply to himself, the right hon. Gentleman was good enough to promise to try and obtain staff posts for the Second Division, but not one single promotion of that nature had yet been made. He well recollected the homily which was preached by the Chancellor of the Exchequer and his right hon. Friend the Member for St. George's as to the impropriety of pressure being put on candidates and Members by members of the Civil Service. He entirely agreed in that view, and he did not himself take part in that Debate. He was not now, as he had said, rising because of pressure that had been put on him, but simply because of what he believed to be in the interest of the Public Service. On the 29th of March the right hon. Gentleman the Chancellor of the Exchequer said—

"On behalf of the Treasury and the Government generally, he might say whenever the head of a Department reported that one of those under him in the Second Division had shown qualifications which fitted him for the First Division the man was always promoted."

This declaration contrasted ludicrously with the actual facts of the War Office case. It was not denied that there were among the War Office clerks men of exceptional ability; in all good faith, therefore, the Government ought to give them that share of promotion which the Leader of the House said was theirs by right. The Second Division clerks were fully persuaded of the Secretary of State's sympathetic attitude towards them, but he could not expect them to rest satisfied with mere sympathy. He did appeal to the right hon. Gentleman to grant that which he knew was based on merit, and that which was due to justice, and he trusted that he would give some definite assurance that that for which they had so long asked—which, if the right hon. Gentleman would only give the word, would before now have been granted—would no longer be delayed.

THE SECRETARY OF STATE FOR WAR (Mr. CAMPBELL-BANNERMAN, Stirling, &c.): With regard to this question of my hon. Friend, I have really

very little now to say. As far as his observations apply to the general treatment of the Second Division clerks in the public offices, I very much agree with him and with my colleagues who have spoken on the subject, that they ought to have their fair share of promotion to the higher appointments if they are fit to fill them. The War Office is in a very exceptional position, and it has been so ever since I have known it, which I am sorry to say is now nearly 30 years. At present we are in process of reducing the Higher Division Establishment. It has been reduced from 132 to 96, and the normal Establishment is fixed at 60. Of course, any accidental vacancies that occur have to be filled up, and I must say that, while we are ready to acknowledge the claims of gentlemen serving in the office to be promoted if they are fit for it, it is not a very exceptional thing that we should take in young blood—I do not mean to say new and untrained officers, but mean young in years, so that the staff should not be entirely composed of men well advanced in life, and that when their time comes for retirement, which will not be very long deferred, we should be confined entirely to new appointments. I think that that is the view taken by the Treasury, under whose authority we act in this matter, because it was on the faith of those arrangements that they allowed some time ago compulsory retirements with the view of hastening further the reduction of the Establishment. I have done all I could, and will continue to do all I can, to satisfy the claims of the Second Division clerks. We have obtained from the Treasury leave to promote a certain number to a higher grade, and we are considering how best we can make some staff posts which they would be eligible to fill. But here again we have this unfortunate position—that there are a number of supplementary clerks in front of them whose position is very similar to their own, with this difference, that they are of much longer standing, and therefore in point of seniority have a better claim than the Second Division clerks. Let me say this, however: that the Second Division clerks in the War Office have nothing to complain of up to this time. Their position is quite as good as they could expect it to be, and the only question arises as to the future. A

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short time ago they put forward a scheme of their own for the re-organisation of the office. I could not adopt that scheme, or even submit it to the Treasury, because it contained certain elements which I knew the Treasury would have at once rejected. I sympathise, however, with them in their position, and within the limit of my powers I will do all I can to meet their views.

MR. COHEN thanked the right hon. Gentleman for his statement.

COLONEL LOCKWOOD (Essex, Epping) said, he gathered that the Treasury and the War Office were in accord in their views respecting these Second Division clerks, and that there was no difference of opinion as to the future. He was very pleased to hear this.

MAJOR DARWIN (Staffordshire, Lichfield) asked whether the Secretary for War had considered the possibility of getting more work done in the financial department of the War Office by means of officers brought in from the Army Pay Department? He was aware that there were difficulties in the way of carrying out this proposal, but he thought considerable advantages were to be gained if it could be carried out. If such a course were adopted he thought it might lead to the maintenance of greater touch between the War Office and the districts, and it appeared to him that it would be an economical way of carrying on the War Office to employ more officers who were retired.

MR. CAMPBELL-BANNERMAN: It has always been urged on behalf of certain very accomplished and very energetic paymasters that it would be a great advantage for them to be brought into the War Office to carry out finance duties there. I do not, however, think that this is possible. The function of the finance department of the War Office is to control and audit the expenditure of the Army, and the members of the department ought to be permanent officials independent of the Army and unconnected with military departments. I think that is a very strong point, and it has been dealt with both by the Royal Commission on Civil Establishments presided over by the right hon. Member for Blackpool (Sir M. W. Ridley), and also by the Royal Commission of which the Duke of Devonshire was chairman.

By both those Commissions it was very strongly urged that the financial business should be left in the hands of members of the permanent Civil Service. There is a subordinate contention of some importance—namely, that military officers do not so readily receive the criticism of other military officers of an inferior rank as do civilians who have been trained in the department. I think that on these and other grounds it would be impossible for us to accept the idea of putting Army paymasters in the War Office for the purpose suggested. I have looked into the matter very carefully and have come to that conclusion.

MR. BRODRICK (Surrey, Guildford) said, he was sorry to hear the conclusion at which the right hon. Gentleman had arrived, because he thought the present opportunity would have been a good one for taking this matter into consideration. There happened just now to be a number of senior paymasters and also a number of gentlemen approaching the age of retirement at the head of many of the Departments of the War Office, and, therefore, if anything was to be done in the nature of reconsidering the matter between the two branches, this would have been the time for doing it. The subject went a little deeper than would be gathered from the right hon. Gentleman's speech, and he (Mr. Brodrick) could not help feeling that the whole question of the audit of Army accounts was in a condition which required re-consideration. The present position was certainly a most anomalous one. At present there was, first of all, an audit by the Paymaster of the accounts of company officers, and then there was an audit by the War Office of the accounts of the Paymasters, and then there was a possibility of an audit by the Auditor General of the War Office accounts. All these audits could take place with reference to small questions affecting the daily pay of the soldier. He himself had always believed that if the War Office was to be an auditing body it did not require to have a supplementary audit from outside in these cases, whilst if the War Office was to be treated as an accounting body, there ought to be a proper audit by a responsible authority. The weakness of the position was this: that the Army Pay Department stood in a different position from that which it occupied six or seven years ago, and, at the same time,

it had not been recognised in some of the new functions that had been put upon it. The change made seven or eight years ago was affected after very careful inquiry by a scheme for which the heads of the Financial Department, notably the Accountant General (Mr. Knox) and the Deputy Accountant General (Mr. Delawarr) were responsible. That scheme made a change in the payment system, and placed the Army Pay Department on a sort of homogenous basis. The Chief Paymaster became an Inspector in his own district, and his inspection was reported to the War Office, and became one of the means of guidance in reference to the promotion of officers who had been inspected by him. The necessary corollary of this change was that ultimately the Department, as far as promotion was concerned, should be taken away from the control of the Finance Branch, and put under the control of the military side. That was the intention of Mr. Stanhope, and that intention had been carried out ultimately by the right hon. Gentleman (Mr. Campbell-Bannerman), who had placed the Department under the control of Sir Evelyn Wood. He ventured to say that this was a movement entirely in the right direction. It must, however, be recollected that this large Department had now been detached from the Finance Branch, and that those who inspected the officers were not those who were responsible for their promotion. Therefore, the right hon. Gentleman had placed in the War Office an officer to represent the Pay Department under the Quartermaster General, but this officer was only a staff paymaster who, however, was responsible for advising the Paymaster General. This seemed to him to be a very doubtful system, inasmuch as it meant that the Quartermaster General had to direct a large Department through a junior officer. He believed a demand had been made in three memorials, two of which were submitted during Mr. Stanhope's tenure of Office, whilst the last was presented in November, 1892, that the Department should be represented at the War Office by one of its own official heads—that was to say, that the officer who under the Quartermaster General should be responsible for promotions and for all business affecting the *personnel* of the Department should be himself a senior officer. He thought this was a reasonable proposal, and one which hardly

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needed the deliberations of a Committee to recommend it to the Secretary of State. He should be sorry to reject any suggestion that they should bring to the assistance of the critical and administrative body such experience as they could get from the executive body, but as to how that was to be done was a question which it remained with those who were responsible for carrying out the business of this country to decide. But he regretted to hear the right hon. Gentleman say that he declined to enter further into the matter. He would have pressed upon him the desirability of allowing the Committee to sit, on which the Army Department should itself be represented and on which the departmental element and the finance element should have proper representation, and under any chairman the right hon. Gentleman thought fit to appoint. Or, at all events, that such a scheme as the Pay Department themselves might put forward, for various experiences to be utilised, should be considered by the Committee, and a Report made to the Secretary of State. He did not wish to bring the matter at any great length before the Committee, but representations had been made to him continually on this subject—first, before he went out of Office, and he thought the time had now come—when the intimate link which existed between the Pay Department and the Finance Department had been separated—for taking into consideration the suggestions made. Before sitting down he thought it was not only fair to remind the Secretary of State for War of their own experience in the matter, but to ask him to consider the experience as to the Army accounts in India. There were two high authorities upon this matter at this moment in the country, Lord Roberts and the hon. and gallant Gentleman the Member for Oxford (General Sir George T. Chesney), who had served on the Indian Council. Lord Roberts, in a recent letter, said the question whether the finances of the Army should be administered by soldiers or civilians was a matter to be decided by the Government, and that Indian experience proved that carefully selected members of the Army were capable of performing the duties which had hitherto been reserved for civilians at home. The hon. Member for Oxford (Sir G. Chesney) said he was entirely in accord with his correspondents on the

principle advocated, as it had been largely adopted in India and with great advantage in that country. He (Mr. Brodric) did not commit himself to that view, as he had no personal experience of the administration of Indian Army finance, but he believed it was universally admitted that the Indian service was conducted with equal efficiency to that of the service at home, and he certainly thought the opinion of those two distinguished officers was worthy of consideration. He would commend it to the consideration of the right hon. Gentleman whether he would not allow, in the course of the autumn, a Committee to assemble at the War Office to consider whether there was anything in the system or anything in the scheme now put forward that would cause him to reconsider the present position of the higher members of the two departments.

MAJOR DARWIN (Staffordshire, Lichfield) said, that in connection with the change the right hon. Gentleman had made at the War Office he would ask him whether he had taken into consideration the necessity of making any change in the position of the officers in the districts? It appeared to him that some move in that direction was desirable now that the change was made at the War Office. The right hon. Gentleman's reply on the main question rather dealt with the argument as to placing the whole of the financial department under military control. That was not his intention, and all he asked was that there should be some link between the administration in the district and the administration in the War Office.

MR. THORNTON (Clapham) asked whether it was a fact that junior clerks in the War Office had only a holiday of 14 days in the year, whereas before 1885 they had 27 days, and that in consequence of the reduction of their salaries from £100 to £70 they were obliged to work overtime and were thus unable to obtain proper relaxation?

SIR R. TEMPLE (Surrey, Kingston) said that, having had a great deal to do with the finances of India with the late General Balfour, he could testify as well as anyone to the remarkable ability with which the great department of Indian finance administration in all its branches was conducted. The fact was, that for this kind of administration India formed the best enlisting field and

gave the greatest scope of any portion of the British Empire; it had always been one of the schools—in fact, the best school—existing for military administration. The service of the Government of India was rich and abundant in officers of the highest qualification, men who would retire from that country still in the prime of life and still capable of rendering in London as good service as ever was rendered in Calcutta, Bombay, or Simla, and they would have this immense advantage: that they had equal ability with civilians in financial matters and greatly superior ability in respect of the military duties. He did not say they were personally and intellectually superior to the civilian; but in regard to military matters they had the advantages that no civilian could possibly have, and therefore it would be of immense advantage if these practical capacities were utilised for the service of the War Department. But as a practical man, he felt that in the War Office there was a highly-trained and capable body of men equal to their military brethren in any Army in the world. These men had risen from their early youth in the Service, and might expect as years went on to succeed to the various offices in the higher ranks, and if these were to be filled by officers who had served in India the just expectations of a large body of civilian *employés* would be disappointed. He could not, therefore, see how the question could be met all at once, and it could only be done by degrees if this excellent change were decided upon.

MR. T. M. HEALY (Louth, N.) said, he wished to say a word upon the question of administration on a very narrow subject. In text books text writers should be more careful in laying down dogma than in ordinary cases, and in regard to the text-book relating to military offences he understood that a new edition was being got out, and it was because it was in preparation that he made these observations. In this book a particular offence was laid down as embezzlement, which was distinctly in the teeth of the decision of the English Courts, and that being so he thought it was most desirable that the new edition should be corrected.

MR. HANBURY (Preston) said, that as they were on the question of the clerks of the War Office, he wished to ask the right hon. Gentleman a question upon a

matter which was strongly resented by the clerks. The opinion was that the clerks of the upper and lower division should be treated upon the same footing. The clerks were called upon to sign an attendance book, and the recommendation of the Committee was that there should be no distinction in this respect between the upper and lower divisions, except in respect of a few of the clerks who were at the top of the tree, and might in consequence be treated differently. The Commission recommended there should be no distinction drawn between the two classes of clerks; that all should be bound to give their time to the State for a given number of hours, and that the attendance and time of leaving should be recorded by both divisions. The manager of Glynn's Bank was a member of the Royal Commission, and he told the Commission that in nearly all the mercantile firms in the country the clerks were required to sign an attendance book upon entering and leaving the premises. This was a very proper thing to adopt in the Government Service; but if adopted it should be carried out all round, and an end should be put to the invidious distinction drawn between the upper and lower divisions. He should like to get an assurance that this invidious distinction either had or would be put an end to. The lower division had to sign their names and put down the times at which they entered and when they left; but the upper division merely signed their names, so that there was no check whatever with regard to them. Considering what a large Department the War Office was, he asked that they would put an end to a system that was so strongly condemned by the Royal Commission. He did not say that the recommendation should apply to every case, but he did ask that in the bulk the clerks of the upper and lower divisions should be put upon the same footing.

MR. CAMPBELL-BANNERMAN said, the large question of the proper manning of the Finance Department of the War Office had been brought forward to-day, and no one could speak upon it with higher authority than his hon. Friend opposite, who was so long connected with the War Office and knew all the requirements of that Office. He could not accept the view taken by the hon. Member. It must be remembered

that the Pay Department, as it now existed, was not concerned with a large part of the duties, important duties that had to be discharged at the War Office. The hon. Member spoke of the officers of the Department as an executive body, but their duties largely consisted of those of cashiers—to see that the accounts were properly computed and kept. He had already said that, in his opinion, it was necessary to have all the higher duties discharged in this country by a civilian Department. Years ago, before the Pay Department was formed, he thought they ought to proceed in the opposite direction—namely, that the members of the Finance Department in the War Office might very well discharge, in proper rotation, the pay duties at the stations, with the regiments, and throughout the districts generally. But that idea became impossible when about 20 years since the Pay Department was formed of ex-combatant officers. The moment that Department was formed it became impossible to amalgamate the two distinct branches of duties. He was not, therefore, much impressed by the arguments of the hon. Member for Kingston (Sir R. Temple) and others, who were in favour of our adopting what was described as the Indian system. He was supported in this by the opinions expressed in the Reports of the Royal Commissions to which he had previously alluded. The hon. Member for Guildford (Mr. Brodrick) seemed to think that there was too much auditing of accounts, but he must know that during the last ten years there had been a good many changes in this part of the work. After all, it should be remembered that in the Service they must have a somewhat more elaborate system than was necessary in the case even of large commercial firms. It was the view of the Treasury that there should be a departmental audit independent of the local or check audit, and the whole subject to a test audit by the Auditor General, and this was the system now pursued at the War Office. The hon. Member had asked him why it was that an officer not of the highest rank in the Pay Department was brought to the War Office to assist the Paymaster General. He did not know why this particular officer was selected, and all he could say was that the course adopted in this case was similar to that which

prevailed under like circumstances in the other departments of the Service. It should be remembered that the real head of the Pay Department now was the Quartermaster General himself. The hon. Member for Clapham (Mr. Thornton) asked him a question with regard to the Junior Division clerks and their holidays. He understood it was uniform throughout the Civil Service, and was not peculiar to the War Office. The holidays began with 14 days and increased, with the service of the officer, to 28, but that was not peculiar to the War Office; it was adopted throughout the whole of the Civil Service. The hon. Gentleman opposite asked him as to the upper and lower division clerks, whether any difference was made in the hours and in the stringency of the requirements of their attendance. His answer was, there was none. The rule was that a diary was kept showing the attendance of all the clerks employed except those in staff positions. There was no distinction in this matter between the clerks of the First and the Second Division. He thought that explanation would be satisfactory to his hon. Friend. The whole question of the relation of the Pay Department to the Finance Branch of the War Office was most interesting and important. He had stated his views on the general proposition, but the subject would be constantly kept in view, especially, as his hon. Friend had said, now that the time was approaching when some sort of change might conveniently be made. He need hardly say that he would consider all that his hon. Friend had said on the subject. He had stated frankly the views he entertained at present, but he thought there would be greater difficulty in adopting the proposals which found favour with his hon. Friend than he seemed to think.

MR. BRODRICK said, there was very little difference between him and his right hon. Friend. It was quite clear that the early prepossessions of the right hon. Gentleman were in favour of the course he (Mr. Brodrick) had suggested.

MR. CAMPBELL - BANNERMAN (interposing) said, that the control in the War Office must be civilian. He believed that was accepted for many reasons, and what he thought would be an economical and efficient arrangement would be that the junior members of the establishment

of the War Office should go about and act as paymasters in order to acquire familiarity with the ordinary pay duty locally, and which they might be called upon to criticise.

MR. BRODRICK was glad that, at any rate, the right hon. Gentleman agreed with him that there was a great advantage in the Finance Branch and Pay Branch being, to some extent, interchangeable, in order that they might acquire a familiarity with the duties they were afterwards called upon to criticise; and, after the right hon. Gentleman's remarks on that point, he did not despair of the right hon. Gentleman entering deeper into the consideration of the question. He only rose for the purpose of clearing up one or two small points. One was this: the right hon. Gentleman said that these officers who were engaged in pay duties were not the officers best calculated to acquire knowledge as to the large questions of policy which arose at the War Office. But he (Mr. Brodrick) never proposed that persons who had been engaged in discharging duties connected with pay should be asked to perform the duties of Accountants General. His suggestion was that there were branches of the War Office which dealt with the criticism of pay sheets and payments of money, and he thought that possibly some advantage might be gained if they were to proceed on the lines he had indicated. He was very much encouraged by the right hon. Gentleman's expression of opinion with regard to audit. Nothing could be sounder than the right hon. Gentleman's suggestion with regard especially to small questions of disallowances and so forth, whether made by the War Office officials or the Exchequer and Audit Department, that reference should be made for final decision to the Secretary of State for War. Nothing could be more anomalous than the present situation, under which the Secretary of State for War was paid £5,000 a year, was given enormous responsibility in every direction, and yet when a question of the payment of 2d. or 6d. was concerned, as to which there had been a disallowance, he was not considered sufficiently competent to arrive at an impartial settlement of a great and engrossing matter. He thought that if this question of audit could be in any way further simplified, and if the re-

duplication of the audit in regard to small sums could be done away with, it would be a great advantage. He considered that the Quartermaster General ought not to be merely the nominal, but the actual, head of the Army Pay Department.

MR. HANBURY, as a Member of the Public Accounts Committee, desired to say he did not believe there was a more useful officer in the Kingdom than the Auditor and Comptroller General, and when he made complaints as to sixpence here and sixpence there it only showed the care with which this official exercised his functions. No Department so persistently fought the Auditor and Comptroller General as did the War Office. It was a constant battle every year; the War Office fought the Auditor and Comptroller General at every step, and instead of welcoming him as an assistant to see that the audit was properly managed they seemed to take a delight in giving him as much trouble as possible. The Auditor and Comptroller General was placed there to see that the work of the Department as regarded finances was properly done, and it was not sufficient to have merely an inside audit for the War Office. He hoped nothing would be said in the House that would in any way weaken the authority of the Auditor and Comptroller General. He knew that the two Front Benches were the natural enemies of the Comptroller and Auditor General, than whom there was no more deserving official in the whole country, nor one to whom Parliament owed so much.

COLONEL LOCKWOOD (Essex, Epping) asked the Secretary of State for War to order some inquiry into the whole barrack canteen system.

THE CHAIRMAN observed that this question did not properly arise on the particular Vote at present before the Committee.

MR. GIBSON BOWLES said, he felt bound to call attention to an instance of pluralism. He had endeavoured without success to get a day for a discussion of the Return he had obtained this year respecting pluralists generally, and had he succeeded in doing so he would not have been driven, against his will, to single out the individual case of the Duke of Cambridge, the Commander-in-Chief. The Return showed that there were 439 persons in receipt of more than one allow-

ance or payment out of the public funds, and that the total amount these persons received was about £500,000. This was the first occasion on which he had come in the Estimates upon a definite instance of pluralism; and he regretted that he was driven to call attention to the instance. He knew nothing about the Army, his ideas being generally that it consisted of a number of men in red coats marching behind a band that played more or less in tune. He believed, however, that the Duke of Cambridge was an extremely able and competent Commander-in-Chief. He noticed in the Votes an item of £4,500 for the Commander-in-Chief, but the Estimate for 1894-95 was £6,632. There was a note to the item of £4,500 stating "These receipts include all emoluments except pensions for wounds and rewards for distinguished services." Of course, he did not know whether there might not be in another portion of the Estimates a pension to His Royal Highness the Duke of Cambridge for wounds or a reward for distinguished services. No information was given to show why the item of £4,500 was increased to £6,632 for 1894-95, but the Return respecting pluralists supplied the missing information. The sum of £6,632 was made up of £4,500, the salary of the Commander-in-Chief, and an additional sum of £2,131 odd for the honorary colonelcy of the Grenadier Guards. In addition, the Duke of Cambridge as a Royal Prince had an allowance of £12,000, which he should be the last to grudge to His Royal Highness, whilst as Ranger of Richmond Park he received a salary of £109 10s., so that his total receipts were £18,741 4s. 2d. There was no allusion in the Estimates to the fact that the Duke was in receipt of any other income than that which appeared on the Estimates. In allowing the present system to continue the Government were placing so eminent a person as the Duke of Cambridge in an awkward position. If he was to receive these different amounts they ought to be put in a consolidated sum. If it were thought right to continue the honorary colonelcy of the Grenadier Guards, he should have thought it would have been given to some battered old veteran who had spent his days in India, and he said he thought that the Duke of Cambridge would have been delighted to hand over the office to such a man. And so with

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regard to the miserable sum of £109 10s. for the Rangership of Richmond Park—it ought to be given to some policeman who had hurt himself or been injured, perhaps in some affray with Fenians. He held that a great nation like this should act in a generous manner to every member of its Royal Family, but he thought that a strict rule should be laid down that when a man had a post in the Public Service he was bound to give the whole of his time to the duties of that post and to receive only the pay attached to that post. He did not say that the amount paid to the Commander-in-Chief was excessive, but he did say that it ought to be aggregated, and that the salary of an eminent personage, an able General, and a gallant soldier like the Duke ought not to be made up of various sums, including such a trifling amount as that for the Rangership of Richmond Park.

MR. CAMPBELL - BANNERMAN said, that when he remembered the large part the hon. Member who had just sat down had taken in the discussion of military affairs, and recollected the confession he had made at the beginning of his speech respecting the amount of his knowledge of the Army—he said his idea of the Army was a number of men in red coats marching more or less in order to a band playing more or less in tune—he was overwhelmed with gratitude to the hon. Member for having been able with such small material to accomplish so much in the House. The hon. Member had brought forward a tremendous grievance. It appeared that the Duke of Cambridge was receiving £6,632, whereas the fixed salary of his office as Commander-in-Chief was only £4,500. The fact was, that the Duke was appointed to the honorary colonelcy of the Grenadier Guards and to the Commandership-in-Chief before the salary was fixed at £4,500, and therefore he naturally continued to receive the salary at which he was appointed. The old system of paying honorary colonels had been abolished so far as future appointments were concerned; but the Duke of Cambridge, having been appointed under the old conditions, naturally still drew the emoluments attaching to his appointment. There was nothing irregular, strange, or unaccountable in this.

SIR J. FERGUSSON (Manchester, N.E.), interposing, pointed out that

general officers who were appointed to the colonelcies of regiments still received £1,000 a year in lieu of the old allowance for clothing, and the Duke of Cambridge in this respect did not differ from other colonels.

MR. CAMPBELL - BANNERMAN said, he understood that in future no pay would attach to honorary colonelcies.

MR. BRODRICK remarked that there were certain officers who had not accepted the new rate, and who had claims to be appointed to these posts, and these officers would receive salaries if they were appointed.

MR. CAMPBELL - BANNERMAN said, that that was the case, but under the new system honorary colonels would have no salaries whatever. The hon. Member for King's Lynn alluded to other sources of emolument of the Duke of Cambridge—namely, as a Royal Prince and as Ranger of Richmond Park. He was not sure whether this was voted by Parliament. If it was usual in the Estimates to state in any one place all the emoluments of voted money enjoyed by the officers in question, he would see that in another year they were shown.

MR. GIBSON BOWLES said, that it was laid down in the first page of these Estimates that the emoluments should be stated. The salary in connection with Richmond Park ought to be stated.

MR. CAMPBELL - BANNERMAN said, that the salary of the Duke as Ranger of Richmond Park ought to be stated in the Votes, and he would see that this was done in future. The allowance made to his Royal Highness as a Royal Prince, he understood, the hon. Member did not claim to have inserted.

SIR J. FERGUSSON said, the hon. Member had been in error in referring to His Royal Highness the Duke of Cambridge as though he were the only person receiving this extra pay.

MR. GIBSON BOWLES: I did not say so.

SIR J. FERGUSSON said that, as a matter of fact, the Duke of Cambridge, in receiving a certain pay as honorary colonel of the Grenadier Guards, was only in the same position as scores of other general officers. There was a sum of £23,000 taken for general officers, honorary colonels of regiments of the cavalry, £13,000 for general officers, colonels commandant of Artillery; and

sums were also taken for colonels of Engineers, of Infantry, and of colonial corps. The Duke of Cambridge occupied no special position in this respect, and it would be wrong and unjust to point to him as one who was receiving exceptional treatment. As one who had served in the field in the Duke of Cambridge's division, and having a lively recollection of and pride in the fact, he might be allowed to say that he was glad His Royal Highness received the honours which were his due. There was not a soldier in the Army who was not glad to see the Duke at the head of it, and he was sure the country did not grudge any honour to so devoted a soldier, who was alike admired and respected by the Army.

MR. CAMPBELL-BANNERMAN said, that the right hon. Gentleman had stated what he himself had intended to say, that the Duke occupied no exceptional position. His Royal Highness was appointed under the old system. Officers who had purchase rights had the option either to go forward with a prospect of retiring on the new and larger allowance or to continue on the old scale with the chance of being appointed to the command of a regiment. Therefore, for some time to come these honorary colonelcies would continue on the Army List. There were, however, many officers who received no money at all for them, but held these positions in order to perpetuate old and valuable service.

MR. JEFFREYS (Hants, Basingstoke) said, he was sorry the hon. Member for King's Lynn in his attack on pluralities had selected this Vote for criticism.

MR. GIBSON BOWLES: I am forced to do it.

MR. JEFFREYS said, he supposed the hon. Member was forced to do it because this was the first Vote on the list. The hon. Member did not object to the salary of the Duke of Cambridge, which was not a large one for a person in his responsible position as compared even with that of the Secretary for War himself. Moreover, these few prizes to general officers did not call for interference, and would soon come to an end; therefore, economists need feel no alarm in regard to them.

MR. HANBURY said, he did not understand that the hon. Member for King's Lynn raised objection to the

amount of the salary of the Duke of Cambridge. His objection was with regard to confusion in the financial accounts. The hon. Member thought the House should know the amount they were paying to everybody and for what. That, he submitted, was the proper way of framing the Estimates. He was very glad that this question had been raised, for it brought out the fact that the salary of the Commander-in-Chief was to be only £4,500, which was not even the salary of a Puisne Judge, and only half that of the Attorney General. Economist as he was, he did not think that this was adequate for the head of the Army, in view of his great responsibilities. It was monstrous that the Commander-in-Chief of the British Army should be dependent upon an honorary colonelcy or anything of the sort for the augmentation of his income.

Vote agreed to.

2. £1,516,400, Retired Pay, Half-Pay, and other Non-Effective Charges for Officers, &c.

COLONEL LOCKWOOD (Essex, Epping) wished to refer to the compensation received by the wives and widows of men injured from time to time in the explosions which had occurred at Waltham Abbey.

THE CHAIRMAN: This Vote is for officers.

MR. HANBURY said, he wished on this Vote to call attention to the dismissal of Colonel M'Clintock from Waltham. He took it that Colonel M'Clintock came under the Vote.

MR. CAMPBELL-BANNERMAN rose to Order. He submitted that on this Vote they could only discuss the conditions of retired pay and half-pay. He did not think it was open to discuss the policy of the Government in putting a certain officer on half-pay.

THE CHAIRMAN said, he was quite certain that the Secretary of State was right. The hon. Member was not in Order.

MR. HANBURY urged that the Committee was now about to vote half-pay to Colonel M'Clintock, and as a Member of Parliament he had a right to object to do so. Surely, he was to be allowed to go into that, because the Half-Pay Vote had been increased by the fact that Colonel M'Clintock had been dismissed from Waltham Abbey. He would, if neces-

sary, move to reduce the Vote by £100. Three weeks or a month ago he had put a question to the Secretary of State, and had asked whether it was a fact—as he (Mr. Hanbury) was informed it was—that Colonel M'Clintock had been dismissed from his appointment as Superintendent of the Waltham Factory because he objected to the new buildings as dangerous that were being erected on the old site; the right hon. Gentleman replied that Colonel M'Clintock had been dismissed, and gave the curious explanation that when the plan had been shown to him in the first instance Colonel M'Clintock had raised no objection. He had since been informed by Colonel M'Clintock that the statement of the right hon. Gentleman was incorrect, but that two days after the explosion Mr. Anderson, the Director General at Woolwich, and Colonel Sale, R.E., consulted him. The three took counsel together as to the particular shape and traverses, and internal arrangements of the buildings, but not a single word was said as to their being rebuilt on the old site. It was not, therefore, in accordance with the facts that Colonel M'Clintock had given it as his opinion that the old site was a safe one. As a matter of fact, as soon as he knew that the present buildings were to be erected on the same ground as the factory before occupied, and in dangerous proximity to one another, he at once wrote to Mr. Anderson, and then to the War Office, saying that in his important position as head of the factory, and as such responsible for the safety of his workmen—he the expert on the spot—

Mr. CAMPBELL-BANNERMAN : No, no.

Mr. HANBURY : Then who was the expert on the spot? Who was there in any way connected with the factory who had as much knowledge of what was dangerous as Colonel M'Clintock? It would not be maintained that it was Mr. Anderson or Colonel Sale, who was only an engineer, having to do with the buildings. This officer, responsible to the War Office for the factory, wrote to Mr. Anderson, saying that experts had been over the factory, and confirmed his opinion as to the dangerous character of the old site, and asking that another expert should be sent down to report on the matter. Mr. Anderson in his reply did not say that it was unne-

cessary to have an expert, but objected to the expert that had been named in his letter on the ground that he was a foreigner. Colonel M'Clintock repeated his suggestion, and asked Mr. Anderson to send down whatever expert he liked. But this Mr. Anderson refused to do. Shortly afterwards Colonel M'Clintock received a letter from the War Office saying that if he could not work under Mr. Anderson he had better resign his appointment. He submitted that Colonel M'Clintock's opinion was of great weight in such a matter. He was not like an Artillery officer sent down to a factory for five years to pick up what knowledge he could, and then sent back to his regiment. He had had 20 years' experience in that particular branch of the Service, and the Government by refusing to give his views proper consideration were running a great risk. It was true that cordite was a new explosive, but Colonel M'Clintock had had as much experience of its manufacture as anyone else. There should have been very strong reasons for disregarding his opinion. No doubt the War Office might have really good reasons for thinking it advisable to remove Colonel M'Clintock from his post as head of the factory, but that in no way altered the fact that the reason they had first given was not the actual reason for his dismissal. No doubt the real reason was that they were dissatisfied with his work. If they considered that he was an incompetent man for the post no one could have complained. He said that frankly; but Colonel M'Clintock ought to have been informed of such conclusion directly the Report of the Committee which had sat to inquire into the explosions at Waltham was out. Colonel M'Clintock ought to have been dismissed if it was thought that blame attached to him. The Government ought not to have waited until, in the interest of the safety of the workmen, Colonel M'Clintock protested against buildings being erected on the old site. So far as he could gather, after the consultation between Mr. Anderson, Colonel Sale, and Colonel M'Clintock, no other person was consulted as to the buildings to be erected. The War Office said that Colonel M'Clintock had made himself responsible for the new building on the old site, but it turned out that he was not the case. He (Mr. Campbell-Bannerman) could prove that, in the

first place, Colonel M'Clintock had not approved of the buildings, and that in reality he was dismissed before he was considered incompetent. He submitted that the War Office should have taken direct steps to remove an incompetent person, and not have waited until some chance accident gave them the opportunity to get rid of him on apparently other grounds. He thought, therefore, that the House of Commons, considering the somewhat inconsistent reasons that had been given, had a right to ask what the real reason was that led to Colonel M'Clintock's dismissal.

MR. CAMPBELL-BANNERMAN said, that although he believed the discussion on the subject raised by his hon. Friend was irregular, he was willing to take his part in it. The hon. Member brought up this case at the instance of Colonel M'Clintock.

MR. HANBURY: Not at his instance.

MR. CAMPBELL-BANNERMAN: Well, on information supplied by him. Having that information, the hon. Member immediately assumed a lofty attitude. He assumed the absolute truth of everything that had been told him, and that the evidence supplied to the War Office had completely broken down. As the matter had again been brought forward, he (Mr. Campbell-Bannerman) was obliged to speak even more plainly than he did last time. The facts of the case were perfectly clear, and he failed to see how the explanations he had given on former occasions were conflicting. When Colonel M'Clintock was given the appointment at Waltham Abbey there was a difference of opinion as to whether or no he was a fit person to be placed in that responsible position. It was true that he had held a similar position in one or two factories before he went to Waltham, one of which was a rifle arms factory; but they did not require at those places the same kind of knowledge as was imperative for a man to possess who was the head of such a factory as Waltham Abbey, where the work throughout was of the most delicate nature and required the utmost technical skill. The explosion at the gunpowder factory occurred, and it was fully inquired into by a competent Committee. On the evidence given by that Committee the hon. Member (Mr. Hanbury) himself, standing in a usual

familiar attitude, propounded to him (Mr. Campbell-Bannerman) a series of most puzzling questions how this and that carelessness and laxity could have been allowed in the very house where the explosion occurred. If there was carelessness and laxity, who was responsible for it but Colonel M'Clintock, who was now the *protégé* of the hon. Member?

MR. HANBURY said he would correct the right hon. Gentleman. He had said that if Colonel M'Clintock had been dismissed originally for carelessness, he (Mr. Hanbury) should have been the last to object. What he contended now, however, was that it was unjust to allege as the cause of his dismissal that which he denied. The charge brought against him was not one of carelessness, but that he had not given his sanction to the new buildings being erected on the old site.

MR. CAMPBELL-BANNERMAN said, it was of the first explosion and of the circumstances disclosed at the inquiry that he had been speaking. After the second—the nitro-glycerine—explosion it was absolutely necessary for the War Office to take action in the matter by rebuilding. The matter had then become of the extremest urgency in order that the War Office might be able to provide the necessary supplies of ammunition for the Army. They, therefore, set about taking immediate steps, took the best advice they could obtain, and appointed a Committee of Investigation. The Committee investigated the matter, and the War Office had the advantage of the advice of Sir F. Abel, Colonel Majendie, Dr. Anderson, and Colonel Sale. Sir F. Abel, at all events, had an interest in the success of cordite, which would make him exceedingly careful in the advice he gave. They saw Colonel M'Clintock and discussed with him the plan and character of the buildings to be erected on the site of those destroyed. No question was raised as to locality or as to the policy of building on the same site. Colonel M'Clintock and everybody else knew where the remains of the old buildings were and that they were to be re-erected on that site. That was an understood thing by everybody, and the expediency of doing so under the circumstances was confirmed by all the competent authorities. The hon. Member had said that a better and more authoritative Report had been sent in. Colonel M'Clintock had no special knowledge of nitro-glycerine; he had

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only had experience for a year and a-half at the gunpowder factory, and had been for a much shorter time at the cordite factory; he did not profess to be an expert adviser, and was not recognised as such; whereas, on the other hand, there were few men who knew more about the subject than Dr. Anderson, Sir F. Abel, and Colonel Majendie, upon whose experience the War Office were quite content to rely. To their astonishment Colonel M^cClintock some days after the consultation wrote to say he would not be responsible for the re-erection of the buildings on the same site. That change indicated a certain amount of vacillation or weakness of opinion. If he had been the best possible superintendent or manager for the factory, and if he had had a technical knowledge of nitro-glycerine, he might have been sent for and questioned as to why he differed from the high authorities named; but as he had not these qualities, and as the matter was urgent, it was impossible to proceed with the erection of the buildings with him as superintendent on the spot after he had declared his disagreement with the plan, and that he dissented from the work proposed to be done. He was, for those reasons, on his own responsibility, obliged to dismiss Colonel M^cClintock; and he was quite ready to take the whole blame for having done so, if any blame attached. Colonel M^cClintock was an excellent man and had endeavoured to do his duty; but he was not a disciplinarian, and in other respects he did not appear to be the man required at the Waltham Factory. Finding that he exhibited this vacillation of opinion on a most urgent matter, and his dissent from the plan of re-erection making it undesirable he should continue superintending the re-erection of the buildings, it was thought better to tell him that his services were no longer required. No hostility was felt towards Colonel M^cClintock; but as Secretary for War he had an immense responsibility in the matter, and the moment he came to that conclusion he thought it his duty to act upon it. The hon. Member asked why this officer was not dismissed before, but the War Office would not have been warranted in taking any steps until they had received the Reports upon the explosions.

COLONEL LOCKWOOD (Essex, Epping) said, the inconvenience of discussing this subject, a second and third

time without the Report became more and more apparent. Though the Report had been sent in some time ago no opportunity had been afforded the House of seeing it. The Report was of the greatest importance to hon. Members who desired to bring the matter forward. The right hon. Gentleman had said that, being under enormous responsibility in this matter, he had not chosen to go against the advice of men on whom he could rely and who were more conversant with the dangers of nitro-glycerine manufacture than was Colonel M^cClintock, who had apparently been dismissed on account of an absolute difference of opinion between him and the responsible advisers of the War Office as to the re-erection of these buildings on the same site.

MR. CAMPBELL-BANNERMAN said, it was not so much the difference of opinion as the impossibility of retaining his services under the circumstances.

COLONEL LOCKWOOD urged that, as Colonel M^cClintock had been at the Waltham Factory 18 months since the nitro-glycerine manufacture had been going on there, he had surely some means of forming an opinion as to the buildings that were required to be erected; it was disquieting to know that there were grave differences of opinion about them. Colonel M^cClintock must have had grave reason for believing in the danger, when he knew that any objection on his part would ensure his absolute dismissal by the War Office. Was the House now to understand that these buildings were to be erected on exactly the same spot and of exactly the same dimensions? At the time he brought forward the question of the Report, he suggested the propriety of the ground round these buildings being extended.

MR. CAMPBELL-BANNERMAN said, although they were being erected on the old site they were not in the same form as the old buildings; and there were to be other changes. The contents were not to reach anything like the volume they did formerly; and the cordite was to be gradually removed to the lower island. Fully competent authorities said there would now be no danger.

MR. HANBURY inquired whether the correspondence relating to the case was to be laid on the Table?

MR. CAMPBELL-BANNERMAN said, that he would ascertain whether the letters could be laid on the Table of the

House. He thought, however, that the hon. Member had seen them.

MR. BRODRICK said, that the right hon. Gentleman's statement was a revelation to him that Colonel M'Clintock was an officer as to whose fitness for the post doubts were expressed at the time when the appointment was made. His recollection of the matter was that Colonel M'Clintock was brought to the notice of the late Mr. E. Stanhope, when Secretary of State, as an officer who had done excellent service at Sparkbrook, particularly in the matter of discipline. It was unfortunate that the Secretary of State, not having determined to dismiss Colonel M'Clintock after the explosion, found it necessary to make up his mind in a hurry and to dismiss him merely because he was at variance with other authorities on the question of the site for the re-erected buildings.

MR. CAMPBELL-BANNERMAN pointed out that Colonel M'Clintock's own opinion on that question at the time of his dismissal was practically contrary to the opinion which he had expressed a few days previously.

MR. BRODRICK considered that it would have been more satisfactory if the right hon. Gentleman's action had been founded on the ground of Colonel M'Clintock's fitness or unfitness for the position which he held at the factory, and if it had not been influenced by the differences of opinion upon the question of the site for the new buildings. He desired to guard Mr. Stanhope's memory against the imputation that he selected Colonel M'Clintock for the post on any other ground than that of fitness for the appointment.

MR. HANBURY urged that the right hon. Gentleman the Secretary of State for War ought either to withdraw his charges against Colonel M'Clintock or to substantiate them. It was a very serious thing for a Secretary of State to make vague charges of this kind against an officer who could point to 15 years' good service in various military departments. No doubt the right hon. Gentleman had acted on certain authority, but it was not just to Colonel M'Clintock that vague charges should be made against him in that way without further information being afforded.

MR. CAMPBELL-BANNERMAN protested against the remark that vague charges had been made. He had not

brought any charge against Colonel M'Clintock. On the contrary, he had endeavoured to treat him with the greatest respect. All he had said was that, in the opinion of people who knew him, Colonel M'Clintock did not possess the disciplinary qualities which were required in the head of the Department at Waltham. The hon. Member for Preston had now, by his action, helped to publish the fact that Colonel M'Clintock was not thought to possess those qualities. That officer had done excellent service in the positions which he had previously filled, and for appointments elsewhere than at Waltham he would be, no doubt, admirably qualified.

MR. GIBSON BOWLES said, the House had this fact, at all events, to go upon: that Colonel M'Clintock was the one man who had had practical experience in the manufacture of cordite under Government. After the explosion occurred, he, with his practical experience, gave certain advice to the Government with regard to the re-erection of the buildings. That advice was thrown over, and should another explosion unfortunately occur it would be said to have resulted from the disregard of that advice. He thought the right hon. Gentleman had assumed a very serious and really awful responsibility by dismissing Colonel M'Clintock, who, as he had said, was the only man under the Government who had had any practical experience in connection with the manufacture of cordite.

Vote agreed to.

3. £1,355,200, Pensions and other Non-Effective Charges for Warrant Officers, Non-Commissioned Officers, Men, and others.

VISCOUNT WOLMER (Edinburgh, W.) asked for information respecting Chelsea and Kilmainham Hospitals. The right hon. Gentleman must be only too well aware that the question with regard to Chelsea Hospital was full of complications. There were at least 100,000 men who believed they had a vested interest in these two hospitals, and who contended that they did not belong to the Crown, having, as they said, been founded with moneys contributed by the soldiers themselves in past generations. Their contention was that the two hospitals did not belong to the Crown or to the Nation, because they were not founded by public or national funds,

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but that they belonged to the soldiers themselves, having been founded by money deducted from their pay in past generations. The movement now started and ripening was that, except for very infirm men, the institutions should be done away with, and that the other pensioners should receive increased pensions. Of course, the question as to what was to be done with the hospitals and their sites should not be lost sight of in the consideration of the matter by the Secretary for War or by Parliament; and on that subject the representatives of the pensioners laid down no definite scheme. But they asserted that the property was theirs and not the nation's, and that a different adjustment and administration of the fund would give far larger pensions than were paid at present to a greater number of men who were approaching old age, and who were the real owners of the fund. He asked the Secretary of State to explain the attitude of the War Office in regard to this question, and to say whether any action was contemplated by the Department.

MR. CAMPBELL-BANNERMAN said, he had referred the subject to a Committee to investigate the value and origin of the funds, including the Chelsea and Kilmainham Hospitals; to report whether the funds could be better employed than at present; and to state whether any alteration was desirable in the disposition of the funds. That Committee had sat several times and had taken evidence; and would take the evidence—if they had not already done so—of the leaders of the movement amongst the pensioners to which the noble Lord had referred. He hoped to have the Report of the Committee in a very short time, and trusted it would afford sufficient information to enable the Department and the House of Commons to deal with the subject.

COLONEL MURRAY (Bath) rose to call attention to the pensions paid to Crimean and Indian Mutiny veterans. Last year the Secretary of State for War said he hoped to make arrangements for a large increase in the fund available for those pensions, and he hoped the right hon. Gentleman would tell the Committee what had been done in that direction. The conditions necessary to obtain the pensions were that a man must have served for 10 years in the Army and that he must be destitute. Those conditions

hit the men very hardly. Some of them earned 6s. or 7s. a week, and therefore, as they were not absolute paupers and could not produce a certificate of destitution, they received no allowance from this fund. Some old soldiers with very small pensions of 6d. a day had been compelled to leave the Service in consequence of wounds, or effects of climate, or other causes connected with that Service, and these causes also precluded them from being able to obtain employment after leaving the Army, or if they got employment it was of a character that brought them in only a few shillings a week. The modern soldier had a much better education than these old soldiers, and, moreover, the soldier of the present day was far more thought of in the way of having employment procured for him when he left the Army than the old soldier of past generations. He asked the Secretary of State for War whether he could not see his way to remove or modify the present restrictions which were placed upon applicants for pensions, and particularly that the condition of destitution should be done away with altogether.

MR. BRODRICK asked for figures as to the exact number of pensions for services before 1860; the number of men waiting for pensions; and the number of men finally refused pensions.

MR. BARTLEY (Islington, N.) thought that the system on which these pensions were granted was absolutely wrong. The requirement of practical destitution encouraged the very worst qualities in these old soldiers. Surely, the War Department did not want these old soldiers to become destitute, and yet it told them that unless they were qualified by destitution they would have little chance of getting any assistance from this fund. It was something like the present Poor Law system. Every encouragement was given by that system to a man to prove that he was destitute in order to get the benefit of out-door relief. He thought the fact that those old men had got light employment and were earning a few shillings per week, should be no bar to their getting those pensions in return for the services they had rendered the country. With regard to the condition of 10 years' service, he knew the Minister for War was strictly within his right in insisting on that period of service as a qualification for the

pension; but was it not a most serious thing for the Army that men who had served their country in the great battles of the Crimea and the Indian Mutiny should be pointed at all over the country as, in many cases, practically dependent on the Poor Law? He had spoken to one of those old soldiers, who told him that none of his sons would enter the Army because of the way he had been treated in the matter of a pension. That was not the spirit by which the Army was benefited; and such a state of things had undoubtedly a very bad effect on recruiting. The Department ought to take a more generous view of the matter, and there should be some fund to provide that every old soldier who had served his country well in the Crimean War and the Indian Mutiny, and who was now in a state of want, should have some small allowance. He would also like to call attention to the present system of paying pensions. He asked a question on this subject some time ago, at the request of some of the pensioners, and he was afraid he received a very severe smile from the right hon. Gentleman in consequence. What he suggested was that it would be better to pay those pensions at shorter intervals than three months in advance. The right hon. Gentleman then charged him with trying to injure the pensions by asking for such an alteration in the present system, but had since received communications from a great number of persons who concurred with him in thinking that the pensions should be paid at shorter intervals. He had a personal interest in this matter because he was in the habit of seeing a large number of the pensioners who received their pensions near an institution with which he was connected—namely, the Penny Bank. Frequently, a half dozen or so of the pensioners would go into the bank in the morning and lodge half of their pensions; and return in the evening in a drunken state, with a view to taking the other half out again, and were very much indignant if they did not get it. The truth was, that those old men when they got hold of their pensions every three months they stood treat all round, and before the day was over a good deal or most of the money was spent. He thought that a most pernicious system, and one that ought to be altered. In every village and town there were clergy-

men and other kind-hearted people who

would be glad to receive the pensions and dribble them out to the old soldiers in monthly or weekly allowances. It must be remembered that these men were not accustomed to handle considerable sums of money, and under the system of receiving their pensions four times a year they got rid of money in a way not to their advantage, and it would be infinitely kinder and better if they received smaller sums in monthly or weekly allowances.

MR. HANBURY wished to back up what his hon. Friend the Member for Islington had said in regard to the payment of pensions at shorter intervals on another ground. Under the present system of paying pensions every three months, the pensioners in many cases pledged their identity or life certificates with pawnbrokers at usurious rates of interest, so that when quarter-day came round the pensioners found that very little money came into their pockets. He thought that if the old soldiers were paid their pensions more frequently that evil would be met to some extent. He knew that a great deal had already been done to put a stop to the practice of pledging the certificates. A law had been passed which made the unauthorised possession of the certificates illegal. The certificates were even marked with the broad arrow to show that they were Government property, and that no unauthorised person should have possession of them. But nevertheless, the practice of pledging the certificates continued, for the pawnbrokers for the sake of the very high rate of interest were willing to run the risk of prosecution. He was informed that this system prevailed to an enormous extent in Manchester, and that very little was done by the War Office authorities to put a stop to it. He was also assured that nothing would put an end to this pernicious practice but the frequent prosecution of offending pawnbrokers and the imposition of large fines. With regard to the Crimean and Indian Mutiny soldiers, he thought the condition of ten years' service before a pension was given, a good condition; but the additional requirement that a man should also be destitute before his claim to a pension was considered was very hard indeed. Such a condition did not tend to encourage thrift amongst those men. He had received many touching letters from the men complaining of this condition. One of them

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wrote, "We have all hearts above being paupers, and I trust I will say good-bye to this world before I am reduced to such a state." Again, he understood that as there were only a limited number of those pensions they were distributed on the principle of "first come, first served." The soldiers who first heard of those pensions when they were established in 1891 were the first to get on the list; but there were a great number of men, in every way qualified for the pensions, who had not got them because they did not hear of the matter until it was too late. He understood that there were 1,000 men who had served ten years, and who would be qualified for pensions only for the condition as to destitution. It was really a scandal that men who had served their country in those famous wars could get no reward for their services unless they proved themselves paupers. Why could not the Secretary of State make a clean sweep and give all these deserving men a pension?

MR. CAMPBELL-BANNERMAN said, he should be only too glad if he had funds to provide for all the necessitous cases among old campaign soldiers, and it was possible, now that hon. Members opposite had allowed the Death Duties Budget to escape from them, that the Chancellor of the Exchequer might have funds at his disposal next year and would be prepared to give them all they asked for.

MR. BRODRICK: I asked a question on that very point. I asked the Chancellor of the Exchequer whether we would have anything for the Army out of the Death Duties, and the right hon. Gentleman merely shook his head.

MR. CAMPBELL-BANNERMAN said, that was a question between his hon. Friend and the Chancellor of the Exchequer. But the actual position of those pensions was this—each year there were 100 new pensions given, and according as vacancies were created in the list by death they were filled up by other appointments; and besides that there was a sum of money now amounting to £10,000 voted to create additional pensions. The result was, that a couple of months ago there were 1,138 pensions in force. He did not know exactly how many there were on the list who had applied for pensions, and had not got them, but he thought they numbered 500 or 600. Of course, it would be a

pleasant thing to admit every one of those old soldiers to the pensions, whether they were destitute or not; but the Committee should remember the origin of these compassionate pensions. It was not that the old soldiers had any right to pension; it was that the existence of destitute men in the country who had served in great campaigns was felt to be more or less of a scandal, and also was a serious hindrance to recruiting. There was something to be said for the view that it was almost a premium on destitution to offer a pension on the terms stated, and that an old soldier who worked hard to support himself and his family got nothing from his country, while the destitute ones got a pension. But they could not, however, for the present, at all events, forget the object with which the pensions were instituted. It was, as he had stated, to meet the case of those men who were in destitution, who were doing no good to the Army, and who were an eyesore to all right-thinking citizens. There was some need, he thought, of clearing their minds somewhat on this subject of pensions. The men enlisted under terms which enabled them to serve on for pension, but for various reasons they preferred to leave the Army and seek employment in civil life. Was the country, simply because a man had served a few years in the Army, let them say even for 10 years, and because he had in early life gone through a campaign, perhaps with no very great hardship, to give that man a pension before he reached old age? An old-age pension was a different matter. Many years ago, when there was no provision of the sort for old soldiers, a warrant was issued which permitted pensions to be granted to them, but all the men by that time had reached the age of 70. But a man who served in the Indian Mutiny might now be in the prime of life, and such a man could hardly be held to be in the position that the Government should regard him as a subject for charity. The hon. Member for Preston had implied that the principle acted upon in the granting of these pensions was that of first come first served, but the fact was that the Commissioners of Chelsea Hospital had a list of all the men who applied. Every case was carefully noted and inquired into, and the Commissioners endeavoured to select those men who had the strongest claims. He only

wished he had the money, without stinting other demands, to give pensions to all the men on the list, but that of course was beyond his power. With regard to the question raised by the hon. Member for Islington, of paying pensions at shorter intervals, he would point out that, the pensions being now paid in advance, such a change would result in a distinct loss to the men. The hon. Member had drawn the usual picture of the pensioner squandering his money at the public-house; but he wished the Committee distinctly to understand that the vast majority of the pensioners were not men of that sort, but sober and well-conducted men, and, as far as he had been able to gather from the information at the disposal of the War Office, all these men preferred the present system of payment. Moreover, the change suggested would cost a considerable sum of money extra, and on the whole he thought it was better to go on with the present system until, at least, better evidence was furnished of a desire on the part of the pensioners that a change should be made. The hon. Member for Preston had referred to the fact of pawnbrokers getting hold of pensioners' certificates. The law passed on that subject had been rigidly enforced, and there had been a number of successful prosecutions. He could assure the hon. Member that no effort would be spared by the War Office to prevent the abuse.

MR. JEFFREYS (Hants, Basingstoke) asked whether arrangements could not be made by which pensioners might be able to draw their pensions at the small post offices in the country, instead of being compelled to go to the central offices in the towns, which might be at some distance, and entail upon them great inconvenience?

MR. CAMPBELL-BANNERMAN said, the understanding was that the pensioner could obtain his pension at any Money Order office.

MR. JEFFREYS said, he might point out many of the country offices were not Money Order offices, and asked whether they could not be made so for this special purpose?

MR. CAMPBELL-BANNERMAN said, this was a matter for the Post Office Authorities to consider, but he thought it unlikely that such a special arrangement could be made.

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MR. BARTLEY said, the right hon. Gentleman had stated that he would gladly give pensions to all the old veterans on the list if he had the money to do so. Well, he would tell the right hon. Gentleman where he could easily get the money. He could obtain it from the interest on the Imperial Defence Loan—£75,000, which had been voted. It had been stated that if the Finance Bill passed, this money would not be wanted. The Bill had passed; the right hon. Gentleman would not want the money; he could not use it for the purpose for which it was granted, and all he had to do was to make an arrangement with the Treasury and obtain a Vote from that House, which would be readily given.

MR. CAMPBELL-BANNERMAN said, he could not use this money for any Army purpose whatever.

MR. BRODRICK said, he could assure his hon. Friends that with these pensions it was not a question of first come first served. All the Crimean veterans were not on the same basis. Men had the medal who had never seen a shot fired. Many of the troops in the Crimea at the end of the war only arrived after hostilities had ceased. The difficulty in the way of paying the pensions monthly instead of quarterly was that some pensioners merely emerged from the workhouse to draw their pensions, which they immediately spent in the public-houses, and then returned to the workhouse. If the pensions were paid monthly, these incidents would occur 12 times a year instead of four times a year.

MR. BARTLEY (Islington, N.): But the amount of liquor drunk would be smaller.

MR. GIBSON BOWLES said, he thought that some arrangement should be made whereby any pensioner, whether of the Army or the Navy, might obtain his pension at the nearest post office. At present the office must be a Money Order office, and sometimes the men had to walk many miles to draw their pensions. The results were often mischievous.

MR. HANBURY said, the suggestion of the hon. Member for Islington was a practical one. The House was unanimous that if the funds could be found in the current Revenue of the year it would be only right to give the few additional thousands necessary to put all these men on the pension list. There were only some 500 or 600 of them. To a large

extent the pensions had been granted on the principle of first come first served. It was well within the power of the Treasury, when money had been voted by Parliament for one purpose of the Army, to transfer a saving on that item to a deficiency in another item in the same Votes, provided that urgent public necessity could be shown.

MR. CAMPBELL-BANNERMAN said, the Treasury had that power in ordinary circumstances, but the Government had been obliged to give a pledge of the most solemn kind that this money which had been referred to should not be spent for any purpose.

MR. ROUND supported the suggestion that pensions should be distributed at the local post offices, as far as possible.

MR. TOMLINSON (Preston) said, it seemed to him that there were cases of hardship that were not properly dealt with by the system of giving 6d. a day for a year in case of injury.

Vote agreed to.

4. £164,700, for Superannuation, and other Allowances and Gratuities.

COLONEL LOCKWOOD said, he wished to draw attention to the question of pensions awarded to the widows of those who were killed in the recent explosion at Waltham Abbey. The Secretary for War had said that all criticisms in Committee were directed to obtaining further expenditure of money. That was certainly the object which he (Colonel Lockwood) had in view, but the matter he had to deal with was one of such hardship and involved so much suffering that he thought the Committee would sanction the small increase that was necessary to provide fair allowances for the relatives of those who were killed in the explosion. The gratuities and pensions awarded to the widows and in some cases to the mothers of those killed in explosions were regulated by the Treasury Warrant. He did not know in what way this Treasury Warrant was governed, whether the Treasury had power to increase the amounts that could be awarded under it. His hon. Friend the Member for Preston (Mr. Hanbury) had asked a question on the subject, but he (Colonel Lockwood) had not understood the answer given. He thought many of the public were inclined to believe that in all cases the widow or mother of a man who was killed in one

of those explosions received compensation, but such was not the case. A mother only received compensation in the event of being left without anybody to assist her. He did not understand why the representatives of those who were killed in the earlier explosions were dealt with so much more liberally than were those killed in recent explosions. In 1856 when four men were killed in a rocket explosion the widows received full pay while they remained widows, and in 1866 when another explosion occurred the widows received full pay for life, and the mother of the foreman received pay for 20 years. In 1875, however, when some men were killed by an explosion in a cap factory, two of the widows received 6s. a week, whilst two others received only 5s. a week. In 1886 there was an explosion in Shobury, in which three officers and one man were killed. The widows of the three officers received quarters at Hampton Court, but he understood that the widow of the man, although she was left with six children, received an allowance of only £10 a year, or about 3s. 10d. a week. He thought this was a miserable pension to give under the circumstances. In 1892 there was another explosion, as the result of which the widows received 5s. 6d. a week, and last year there was the explosion in the cap-house at Waltham Abbey. On the 17th January he asked the Financial Secretary to the Treasury (Sir J. T. Hibbert) whether it would be possible to make further allowances to the survivors of the men killed, and the reply he received was that it would be impossible to make any allowances to them. One man who was killed (Baily) was the support of his widowed mother, and she received nothing, although she was a confirmed cripple, because she had another relative who contributed to her support, and for the same reason nothing was given to the representatives of three other men who were killed. Mrs. Maynard, whose husband was killed, and who was left with five children, received 5s. a week. She applied for parish relief, and the guardians took the matter up, with the result that work was eventually found for her in the factory by the Government officials. Mrs. Massey got a pension of 3s. 10s. a week, and a gratuity of £14 for one child. The unfortunate widow of a man named Rudkin

got no pension at all because her husband had served for less than five years in the factory. He knew very well that there was something to be said on the other side. He was one of those men who could see both sides of a case, and he felt that his capacity to do so militated against his success in political life. No doubt the argument of the right hon. Gentleman would be that the pensions given were not meant to be the sole subsistence of the people to whom they were awarded. It was a fortunate thing for these poor people that the pensions were not their sole means of subsistence; but even granting that the pensions were only subsistence allowances, he thought they were too small to give to the widows and survivors of the unfortunate men who were killed; and further that it was unfair to take into consideration the fact that some other relative was left alive who could contribute a small amount to the support of the mother of the men killed. Mrs. Ingram received no pension at all, but obtained a gratuity of £135. Inasmuch as her husband was earning £3 3s. a week this was not a very large sum to give her. Another widow received a pension of 7s., whilst Mrs. Cross received 5s. a week and a gratuity of £16 for her two children. He did not think the Committee would regard these gratuities as adequate for the support of the people to whom they were awarded. He had no doubt the right hon. Gentleman would, if he had the means, close the Debate at once by granting his petition, but no doubt he felt that the sum at his command was not sufficient to enable him to increase the pensions. As a result of the small amounts given, the people in receipt of these pensions had in some cases been almost starved to death. He would suggest to the right hon. Gentleman that the most important thing was to increase the allowances, but if this could not be done he thought that the regulations should be so altered that pensions could be awarded regardless of the time of service, and further that the amounts granted should be increased in proportion to the length of service. He was also of opinion that the question of pensions to those who were employed in dangerous buildings should be placed on a different footing from that respecting men who were employed in other parts of the factories.

Colonel Lockwood

*THE FINANCIAL SECRETARY TO THE WAR OFFICE (Mr. WOODALL, Hanley): The hon. and gallant Member and his colleague the Member for Enfield recently made an appeal to my right hon. Friend (Mr. Campbell-Bannerman) and received a promise that everything that could be done would be done to secure for these unfortunate people the fullest consideration. The Treasury have awarded the maximum amounts in every case under the Act of 1887. The hon. and gallant Gentleman has called attention to the contrast between the amounts awarded by way of compensation in regard to accidents which occurred as far back as 1856 and 1876, and the amounts awarded in the Waltham Abbey case. Well, up to the passing of the Act of 1887, the Treasury felt that they had a certain discretion to award allowances on a scale which they thought justified by the exceptional circumstances, and it was owing to the expostulations of the Controller and Auditor General against that practice that the subject came before Parliament and the Act of 1887 was passed. That Act leaves to the Treasury only a certain administrative discretion, and that discretion is bounded strictly by the terms laid down in the Act. There are three classes mentioned in the Act: First, established officers of whom there were no representatives in these explosions; secondly and thirdly, different grades of hired servants. The hon. and gallant Gentleman has called attention to what he thinks the inequity of allotting compensation upon a scale determined by the period of service of the dead men. That is a matter which is under consideration, and which will receive very careful attention. We feel that it is a very hard matter indeed that where a person killed has not been employed for five years the widow or children are only entitled to a gratuity which must be limited to the amount of one year's salary and emoluments. These are points which will have attention, and upon which probably representations will be made to the Treasury. I am sure my hon. and gallant Friend will see that everything has been done by the War Office and the Treasury that can be done under the present law, and any further liberality that is to be shown to the representatives of the men killed can only be done by the legislative authority of Parliament.

COLONEL HUGHES (Woolwich) said, that at a recent very large meeting of the working classes in his constituency reference was made to the inadequacy of the compensation given to those whose bread-winners were lost through explosions. In the Employers' Liability Bill the Government proposed to make themselves responsible to compensate their workmen in the same way as other employers were liable to compensate theirs, and if that Bill had been passed the Government would have had to give full compensation according to the ordinary commercial rules. As, unfortunately, that Bill had not been passed, could not the Government act upon the principle involved in that proposition and modify the regulations so as to increase the allowances made somewhat in accordance with what would be the rights of the individuals, supposing they had a legal remedy against the Crown?

CAPTAIN BOWLES (Middlesex, Enfield) said, he was pleased to hear that the matter was receiving the attention of the Government. He might point out that even if the Employers' Liability Bill had passed it would have been doubtful whether action could have been taken under it under present circumstances, because it only applied to cases of negligence, and in the present instance the War Office authorities denied that there had been any negligence. He hoped that out of common charity the War Office would press the Treasury to modify the present regulations. As a resident in the neighbourhood of Waltham Abbey, he had received a great many letters on the subject. After the statements he had heard during the Debate he thought that the locality ought to subscribe towards a fund for the relief of the survivors of those who had lost their lives, but he trusted that before a similar case arose the War Office would have devised some plan which would prevent the sufferers from having to rely upon local charity. No doubt local charity was always ready to come forward in such cases; but the people in the neighbourhood felt that, inasmuch as in a recent case where some workmen employed by a private firm were killed through an explosion full compensation was given, it was a little hard that representatives of the servants of the public should be

placed in a worse position than the survivors of men in private employment.

Vote agreed to.

Resolutions to be reported To-morrow ; Committee to sit again upon Friday.

BUILDING SOCIETIES (No. 2) BILL.

In reply to **Mr. JACKSON** (Leeds, N.), **THE PATRONAGE SECRETARY TO THE TREASURY** (Mr. T. E. ELLIS, Merionethshire) stated, that due notice would be given of the day on which it was proposed to take the consideration of this Bill as amended.

CONTAGIOUS DISEASES (ANIMALS) ACTS AMENDMENT BILL.—(No. 297.)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

An hon. MEMBER: I object.

***THE PRESIDENT OF THE BOARD OF AGRICULTURE** (Mr. H. GARDNER, Essex, Saffron Walden): May I point out that this Bill has been accepted by the right hon. Gentleman on the other side?

An hon. MEMBER: I object.

MR. H. GARDNER: Very well, then, I beg to move that the Order be discharged and the Bill withdrawn.

Motion made, and Question proposed, "That the Order be discharged and Bill withdrawn."—(Mr. H. Gardner.)

Motion agreed to.

Order discharged; Bill withdrawn.

CHURCH PATRONAGE BILL.—(No. 276.)

CONSIDERATION.

Bill, as amended, considered.

MR. CARVELL WILLIAMS (Notts, Mansfield) said, he had three Amendments on the Paper, all of which had the same object in view, and in moving the first Amendment—

***SIR F. S. POWELL** (Wigan) said, he might say at once that he was not prepared to accept these Amendments.

***MR. SPEAKER**: Then the Bill must be deferred.

It being after half-past Five of the clock, and Objection being taken, Further Proceeding stood adjourned.

Proceeding to be resumed To-morrow.

RIVERS POLLUTION PREVENTION
BILL.—(No. 95.)

SECOND READING.

Order for Second Reading read.

SIR F. S. POWELL (Wigan) moved that the Bill be read a second time, and said that if the House would only read it a second time he would be prepared to abandon it for the rest of the Session.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir F. S. Powell.*)

SIR STAFFORD NORTHCOTE (Exeter): I object.

Second Reading deferred till To-morrow.

LOCAL GOVERNMENT PROVISIONAL
ORDERS (No. 11) BILL.—(No. 229.)

Lords Amendment agreed to.

LOCAL GOVERNMENT PROVISIONAL
ORDERS (No. 13) BILL.—(No. 230.)

Lords Amendments agreed to.

PEEBLES FOOT PAVEMENTS PRO-
VISIONAL ORDER BILL.—(No. 304.)

Reported, without Amendment [Provisional Order confirmed]; to be read the third time To-morrow.

FATAL ACCIDENTS INQUIRY
(SCOTLAND) BILL.—(No. 151.)

Order for resuming Adjourned Debate on Second Reading [22nd May] read, and discharged. [Bill withdrawn.]

FACTORIES AND WORKSHOPS BILL.
(No. 204.)

Order for Second Reading read, and discharged. [Bill withdrawn.]

SURVEYORS (IRELAND) BILL.—(No. 216.)

Order for Second Reading read, and discharged. [Bill withdrawn.]

DOGS BILL.—(No. 177.)

Order for Second Reading read, and discharged. [Bill withdrawn.]

ESTABLISHED CHURCH (WALES) BILL.
(No. 205.)

Order for Second Reading read, and discharged. [Bill withdrawn.]

PERIOD OF QUALIFICATION AND
ELECTIONS BILL.—(No. 161.)

Order for Committee read, and discharged. [Bill withdrawn.]

LIMITATION OF ACTIONS BILL [*Lords*].
(No. 280.)

Order for Second Reading read, and discharged. [Bill withdrawn.]

SUPREME COURT (OFFICERS) BILL.
(No. 301.)

Order for Second Reading read, and discharged. [Bill withdrawn.]

COTTON TRADE (FORTY-EIGHT HOURS)
BILL.—(No. 56.)

Order for Second Reading read, and discharged. [Bill withdrawn.]

LAND VALUES (TAXATION BY LOCAL
AUTHORITIES) BILL.—(No. 55.)

Order for Second Reading read, and discharged. [Bill withdrawn.]

PUBLIC ACCOUNTS COMMITTEE.

Third Report, with Minutes of Evidence and Appendix, brought up, and read.

Report to lie upon the Table, and to be printed. [No. 226.]

PUBLIC PETITIONS COMMITTEE.

Ninth Report brought up, and read; to lie upon the Table, and to be printed.

MORTGAGEES' COSTS.

On Motion of Mr. Neville, Bill to amend the Law relating to the Costs allowed to Mortgagees, ordered to be brought in by Mr. Neville, Mr. Cozens-Hardy, and Mr. Warrington.

Bill presented, and read first time. [Bill 319.]

SETTLED LAND ACT (1882) AMENDMENT
BILL.

On Motion of Mr. Cozens-Hardy, Bill to amend "The Settled Land Act, 1882," ordered to be brought in by Mr. Cozens-Hardy, Mr. Courtney, and Mr. Haldane.

Bill presented, and read first time. [Bill 320.]

House adjourned at twenty minutes before six o'clock.

HOUSE OF LORDS,

Thursday, 19th July 1894.

SAT FIRST.

The Lord Forester.

TOOK THE OATH.

The Lord Vaux of Harrowden.

REPRESENTATIVE PEERS FOR
SCOTLAND.

The Clerk of the Parliaments delivered a certificate of the Clerk of the Crown that the Viscount Falkland and the Lord Torphichen had been elected as Representative Peers for Scotland in the room of the Viscount Strathallan and the Earl of Lindsay. Certificate read.

BOARDS OF CONCILIATION.

*THE EARL OF ONSLOW gave notice that on Monday next he would ask their Lordships to go into Committee on the Boards of Conciliation Bill. The noble Lord representing the Board of Trade had asked him to delay the Committee stage for a time; but after the announcement made last night in another place, he thought it desirable to give this notice.

FRANCE AND SIAM.

QUESTION. OBSERVATIONS.

LORD LAMINGTON asked the Secretary of State for Foreign Affairs, on private notice, whether he had called the attention of the French Government to their continued occupation of the port and town of Chantaboon despite their assurance that they would leave that place as soon as the trial consequent on the murder of M. Grosgrin had been completed; whether the independence of Siam was not thereby imperilled; whether he could give any assurance that the lives and property of British subjects would remain secure; and whether he could state when the Commission for the demarcation of the limits of the "buffer-State" would begin its labours, and who would be the British Commissioner?

THE SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Earl of Kimberley): My Lords, I am not able to give the noble Lord much information in answer to his questions. With regard to Chantaboon, there have been no very recent communications with the French Government; but the noble Lord will see by the Papers, which will, I hope, shortly be presented on the subject, the exact position which Her Majesty's Government have taken in regard to that matter. As to the safety and independence of Siam being secure, I do not wish to express any apprehension or opinion that it is in danger; but these are all matters of opinion, and the noble Lord is probably as well able to judge of them as myself. As to the Commission for tracing out the frontier of what is termed the buffer-State, some time ago the French Government pointed out to us that owing to the climate of the locality where this investigation was to take place it was not possible that the Commission for the delimitation of the neutral zone between the French and British possessions could proceed with safety to the spot until the autumn, and Her Majesty's Government assented. Arrangements are being made for the constitution of the Commission and for its proceeding in due time to the place for the purpose of determining the limits of the buffer-State.

LORD LAMINGTON asked whether the Commissioners had not yet been named?

THE EARL OF KIMBERLEY: Not yet; but they will be named in due time.

PAROCHIAL ELECTORS (REGISTRATION
ACCELERATION) BILL.—(No. 162.)

SECOND READING.

Order of the Day for the Second Reading, read.

THE LORD PRIVY SEAL (Lord Tweedmouth): My Lords, this Bill is introduced by the Local Government Board in order to give effect to the provisions with regard to the elections required under the Local Government (England) Act which received your Lordships' assent in the early part of this Session. Those elections are for District and Parish Councillors, for Guardians, and for London Vestrymen and auditors. The Bill when in the House of Commons

was referred after Second Reading to a Select Committee, and was passed without further objection. The date named in the Local Government Bill for the first elections this year was the 8th of November, or such later date as the Local Government Board might determine. If the law remained unaltered, at present the period for revising the rolls would be from the 8th of September to the 10th October, and the new Register would not come into force until the 1st January next year. This Bill proposes that the period of revision should be from the 3rd of September to the 22nd of September, and that the new Register should come into force on the 30th of November this year. This, of course, would require some increase of machinery, and the Bill, therefore, makes arrangements for the appointment of an additional number of revising barristers, the expense of which addition will fall not on the local authorities, but will be borne by the State. I ask your Lordships now to read the Bill a second time.

Moved, "That the Bill be now read 2^a."
—(*The Lord Tweedmouth*.)

LORD HALSBURY: My Lords, I rise not in the least for the purpose of opposing this Bill, because I presume your Lordships on both sides of the House desire to see the object for which it is introduced carried out. I only wish to suggest to the noble Lord who is in charge of the Bill that whoever drafted the Bill was apparently not practically familiar with registration; and, if he will permit me, I will endeavour to point out the difficulties and suggest amendments which will make the measure workable. I do not think it is in a workable form at present. I mention that to the noble Lord in order that he may consult his draftsman, and see whether the Bill cannot be put into such a shape in Committee as will make it workable.

Motion agreed to; Bill read 2^a accordingly, and committed to a Committee of the Whole House To-morrow.

ZANZIBAR INDEMNITY BILL.
(No. 167.)

SECOND READING.

Order of the Day for the Second Reading, read.

Lord Tweedmouth

THE EARL OF KIMBERLEY: My Lords, this is simply a Bill enabling the Bank of England to pay over a certain sum of money to the representatives of the Sultan of Zanzibar. The money cannot be paid over without this authority under the guarantee given by the Treasury. The Bill is merely for that purpose.

Moved, "That the Bill be now read 2^a."
—(*The Earl of Kimberley*.)

Motion agreed to; Bill read 2^a accordingly, and committed to a Committee of the Whole House To-morrow.

TOWN IMPROVEMENTS
(BETTERMENT).

Report from the Select Committee considered (according to Order).

LORD HALSBURY: My Lords, your Lordships will remember the position in which the noble Lord the Chairman of Committees and the Committee of your Lordships' House which has been sitting on this subject were placed by a Resolution which was passed last Session, that the House desired to express its opinion that the proposal for assessing capital values instead of annual values, and for creating new and arbitrarily defined areas of taxation, such as was contained in Clause 41 of the Bill, ought not to be embodied in a Private Bill, but if found just and equitable should be dealt with by the whole House. Although, as a matter of fact, that Resolution was neither a Standing Order nor a Sessional Order, it would have been impossible for any Committee of this House, after it had been passed, to have felt themselves justified in treating any Bill coming within the ambit of that Resolution, and containing such a clause, as one which could be entertained. Accordingly, that course was pursued. The Chairman of Committees, as your Lordships will remember, brought the matter to your Lordships' attention again this Session, and accordingly a Committee was appointed which, in the absence of any General Order dealing with this matter, it was thought ought to have, at all events, the means of dealing with this system of taxation if it could be found practicable to do it, provided certain safeguards were established with regard to

the principle contained in such a Bill. With one slight exception, to which I will refer presently, I am happy to say that the Committee have unanimously arrived at a conclusion which will be satisfactory to your Lordships, and without attempting to go through any of these difficult theories of betterment I think I may say that the general principle of obtaining, if possible, for a Local Authority some part of the profit which is made out of their own expenditure, has been affirmed as not only possible but as not being unjust. I think it only right, my Lords, to say that I think the alarm created by the principle which was originally put forward has been to a great extent mitigated by the evidence placed before the Committee, and as shown by the conclusions at which they have arrived. No doubt there was a certain alarm felt at first at the notion that large areas were to be taxed, and that there might be possibly some evasion of that taxation by persons within that area without incurring very serious expense or responsibility. I think the London County Council, who have been foremost in this matter, have explained, by their authorised officer, that it was a mistake to suppose that they were desirous of having any area of taxation. What they desired was that they should have a power to tax owners, but that each individual owner should himself have the right and be entitled to contest the additional taxation placed upon him before some tribunal. Whether the particular tribunal suggested was one which your Lordships would entirely approve of is not to the point; but at all events that was the explanation in view of there having been such an alarm as was undoubtedly felt at one time, because they had drawn certain areas on the maps which, according to their explanation, were not strictly areas of taxation at all, but were rather areas of exclusion—that is to say, that no person outside the lines drawn could be made to pay this additional taxation, but that their intention was—and they desired Parliament to give effect to that intention—that each particular person whose property was affected or involved in this Betterment charge should himself have individually the right to contest it. That, I think, removed a difficulty in the minds of some of the noble Lords who

formed the Committee; at all events, they have formed the conclusions which your Lordships will see set forth in the Report, and accordingly it is my duty to move that your Lordships do now agree with those recommendations. My Lords, I should say one word with reference to the phrase which occurs in the Resolution, and which I believe the Duke of Argyll took exception to; it is that in which the Committee have professed to define what Betterment really is. I think I may say on behalf of the Committee that it was not proposing to lay down any theoretic view or enunciation of what Betterment was, but that it was using that word in its ordinary recognised sense. They used that language in reference to a proposal which they were about to make, but I shall certainly not suppose that any noble Lord would be bound by the exact definition of Betterment which they have given. The Committee understood I think thoroughly what they were dealing with, and I do not consider that the word as used by them was intended to be an exhaustive definition at all. At all events, it will probably be enough for practical purposes to say that that word should be used in reference to the precautions now recommended by the Committee, and with the exception of the one point which I now propose to say a word upon the Committee have unanimously agreed to the rest of these resolutions. That point was with reference to what your Lordship will understand by the term “worsement.” I am glad to say that no definition of that has been attempted, but there is one passage in the Report recommending that when a man’s property has been to some extent injured or “worsened” that in such circumstances the question whether the property had been bettered or “worsened” should be taken into consideration in respect of the Betterment Tax. Two noble Lords, Lord Cowper and Lord Tweedmouth, objected to that, and upon it took place the only Division which occurred in the Committee; in respect to all the other recommendations the Committee was entirely unanimous. There have been, as your Lordships are aware, two Committees sitting on this subject. One has disappeared. Those Committees have already dealt with this very question, and I hope your Lordships will think it

right now to agree with this Committee in their Resolution.

Moved, "That the House do agree with the Report of their Select Committee."—(*The Lord Halsbury.*)

THE LORD CHANCELLOR (Lord HERSCHELL): My Lords, the House is, I think, very much indebted to the Committee which has been sitting in reference to this matter for the Report which they have made. But it is a serious matter to ask the House to adopt this Report *en bloc*, considering that we have not the evidence before us on which they acted. If it is to be treated as having been adopted on the judgment of this House, I think your Lordships will agree that before adopting it we should have some knowledge of the evidence which came before that Committee. I may say that I have endeavoured to obtain a copy of it, but have not been successful. I say that a knowledge of that evidence is desirable, especially in reference to one proposal in this Report. The matter of Betterment has, no doubt, been much discussed, and one knows much of what has been said on one side and the other. I do not suppose one would be likely to find much that is really new in the evidence which came before the Committee. But there is one point in this Report which it seems to me is open to considerable question, and that is the power given to the owner, if any claim for Betterment is made, to insist that the Local Authorities shall purchase the premises. I should certainly, before committing myself to such a proposal, like to have seen the evidence on which it is founded. I think that is a very serious question of public policy, whether it is expedient to insert such a provision for Local Authorities to become, to a greater extent than they are at present, landowners, because the proposal is that they should buy out the occupiers and owners subject to the existing penalties. The effect of it certainly will be this. Of course, the price to be paid to the owner in that case will have to be ascertained by arbitration, and the expenses of the arbitration will have to be borne by someone. In my experience in any contest of this sort between an individual and a public body the individual invariably gains. I think it is

Lord Halsbury

certain that if a local body have to buy they will have to give the owner something more than the value of his property. The result will be that they could only claim Betterment, the principle of which is here accepted on the terms of being obliged to buy the property in respect of which that Betterment is claimed at something beyond its value, and, of course, subject to the risks which are incurred by a person who proposes to buy property and sub-let it, but which risks it is not desirable always to impose upon local bodies. Upon that point there is a good deal to be said on the one side and the other. All I wish to say is this: Of course, it would be useless to oppose the proposal for adopting this Report; but I would point out that we are adopting it without the necessary information, and therefore one cannot under those circumstances feel that the House would be bound exclusively by it.

THE MARQUESS OF SALISBURY

My Lords, there is nothing in the recommendations of the Committee that would compel the local body, whatever local Authority it might be, to keep the property when they had bought it. They could always sell it again, and I quite concur with the noble and learned Lord on the Woolsack that it is a very serious question of policy how far you should encourage local authorities to remain the possessors of land. But the mere fact that you allow them to buy the land does not conclude that question at all, because, as your Lordships know very well, local bodies do constantly buy land and sell it again. The condition on which the noble and learned Lord has placed his finger is very important in the interests of owners. The noble and learned Lord used, I think, a somewhat extreme expression when he said we had accepted the principle of Betterment. That is hardly so. In admitting that in certain circumstances Betterment may be just, we, at the same time, point out the extreme difficulty of appraising and ascertaining the improvement on which the charge is to be made; and by adopting the particular provision to which the noble and learned Lord has alluded we practically made this provision the present condition on which a local authority may try to get for the Public Purse a portion of the benefit of the improvement which has

resulted from the work carried out. That is attained by what is called the principle of recoupment—that is to say, by buying more property than is wanted for the absolute construction of the work, and using the improved value of that property by subsequent sale for the purpose of repaying the expenditure of the local authority. That plan has not been found generally economical, in London at all events, though I believe it has been adopted in other parts of the country, because there has been followed in London a practice of buying up at the same time the actual trade interests of the occupiers or tenants who were following their vocations, a practice which necessarily involves destroying and throwing into the sea the goodwill of those trade interests, and thereby implying a considerable waste of money. We have recommended that that practice should cease, and I believe that with that precaution recoupment may now be made a profitable operation. But what I wish specially to point out to your Lordships is this: We are passing from the practice of recoupment to the principle of Betterment. There is great doubt indeed whether Betterment can be levied without danger of injustice to the private owner on whom it is levied; and, therefore, what we practically say is this: That if an owner is not prepared to admit that the value of his property is enhanced to the extent of the Betterment charge which is made upon him, he may have recourse to the principle of recoupment, and require that his property shall be bought by the local authority at its value previous to the execution of the work, and that the local authority may rely upon that purchase for the recoupment of expenditure which they desire. I think that is a fair and just compromise, and that it will protect private interests from any danger of injury. But it would be impossible to take the rest of our recommendations without that one recommendation which is vital to the rest. The only difficulty in such delay in the matter as the noble and learned Lord suggests would be this, and it is a serious difficulty: that Lord Onslow's Resolution still stands, and until it is withdrawn no Bill containing Betterment proposals can pass through Committees of this House without dropping those provisions. This

provision, therefore, will practically remove the obligation which Lord Onslow's Resolution now imposes upon Committees in dealing with this question. I, therefore, hope your Lordships will accept this Motion for the purposes of expediting the present Bill. Your Lordships may, I think, trust to the unanimous conclusion of a Committee appointed from all parts of the House, and comprising numerous distinguished members of the London County Council upon its body; and I think if you accept the Motion of the noble and learned Lord this will become the guiding principle of Select Committees in dealing with the question, and the principle of Betterment will have a fair chance of being tried without any danger of doing injury to owners.

THE EARL OF CAMPERDOWN: My Lords, I am sure the House will feel greatly indebted to the Committee for the patient consideration which they have given to the investigation of this question. The difficulty lies not so much in the principle of Betterment itself, but in the manner in which it is to be applied consistently with justice. As the noble and learned Lord on the Woolsack has said, we have not the evidence before us, and therefore it is a little difficult for us to realise the case which was laid before the Committee. We can only judge of the case which was presented to them as far as we see it stated in the Report. If I had not heard the statement of the noble and learned Lord who was Chairman of the Committee I certainly should have been under the impression that there was to be an area of Betterment, and I should have been inclined to ask whether it was intended that within that area there should be a uniform or a graduated rate. The old practice of recoupment would clearly have pointed to a graduated rate, but as I understand now the question of Betterment will merely be raised in individual cases. Whenever it appears, either to the London County Council or to any other municipal body that the property of some individual has profited to such an extent as to make it desirable that a special charge should be made upon him, they will give notice to him and his case will then be heard. If that conception is right, of course Betterment

is a much smaller question than it would appear if there had been an area defined over which it was proposed to levy a rate either uniform or graduated. I merely make this remark in passing, but I presume the noble Lord will in some form or other move a Resolution so as to form a guide to the Committees who may have to deal with questions of this sort, so that they may deal with them in an approximately uniform manner.

*THE CHAIRMAN OF COMMITTEES (The Earl of MORLEY): My Lords, I venture to think the House ought to feel much indebted to the Committee for the care and attention which they have given to the consideration of this very difficult subject. After the Report has been agreed to there will be, I think, no difficulty in proceeding with the Bills now before your Lordships embodying the Betterment principle. I do not think there can be any serious difficulty in framing proper clauses dealing with most of the recommendations of the Committee. But, as some responsibility will rest upon me for the drawing of the clauses, I should like to ask the noble and learned Lord opposite for some explanation of Clause 7, which has been referred to by the noble and learned Lord on the Woolsack. That clause introduces questions certainly of great importance and perplexity. For instance, the word "owner" is used, and I am a little doubtful as to what is meant by that word. If it includes the leaseholder, as I presume it should, what would happen if the freeholder considered that a Betterment charge was a fair one, and did not contest it while the leaseholder did? In that case, is it the opinion of the Committee that the local authority should be bound to buy up the interest which the leaseholder has? Because, as I understand it, the Betterment charge is to be spread over the different persons who have an interest in the property in proportion to the interests which they have in it. Therefore, in that case I presume the interest of the leaseholder would be bought without there being a necessity for buying up the freehold property. Then, my Lords, another point would be this: What would happen assuming the Betterment charge should be assessed say, 10 years from the time when the Act was passed as regards

the reversions, the immediate interests having possibly 20 years to run? Is it desired that the Betterment charge should run for those 10 intermediate years, that is the 10 years after the work was completed? and if the charge is made (your Lordships will understand that I am, of course, using arbitrary figures here) would it be at the end of the 20 years that the property would be bought by the local authority? Then the last point is that the local authority should not be compellable to dispossess the occupying tenant. I am not aware that that is the case at present—that they are bound to dispossess an occupying tenant. Of course, as soon as the local authority serves on the tenant this notice to treat—that being a contract—the tenant can compel him to buy, but it is not necessary for the local authority, if they do not want a property, to serve notice to treat at all. I have brought these points before the House with the view rather of eliciting from the noble and learned Lord information, because it is desirable, when the clauses come to be drawn in Committee, that they should be drawn as accurately as possible in order to represent the views of the Committee.

THE LORD PRIVY SEAL (Lord TWEEDMOUTH): My Lords, the noble and learned Lord and the noble Earl opposite have laid great stress on the unanimity of the Committee; but I wish to say one word with regard to that unanimous expression of opinion, as I was a Member of the Committee. My own opinion was, and I think it was shared by noble Lords on this side of the House, that while we accepted these recommendations as a great advance on the Resolution of Lord Onslow of last year, and so *pro tanto* altering it, we could not at all commit ourselves to the exact wording of the conditions attached by this Report to the principle of Betterment, and especially as far as I am concerned would that remark apply to the sixth and seventh conclusions of the Committee. As to the sixth conclusion, which allows the owner to claim for worsenment as well as betterment, I took very strong exception to that proposal in the Committee, but I am sorry to say I found myself supported by only one other Member of your Lordships' House on the Committee. I was quite

The Earl of Camperdown

ready to take an equally strong objection to Clause 7, which enables the owner to force the local authority to buy rather than submit to the Betterment charge. But I am bound to confess that I believe if I had taken that course I should have found no support at all on the Committee, and therefore I thought the wiser course to pursue was to endeavour to introduce mitigating words. Those mitigating words to a great extent are the words of which the noble Lord the Chairman of Committees (The Earl of Morley) has just asked an explanation. My point is that in supposing an owner were allowed to force the local authority to buy, the local authority should then be able to buy under the best and most favourable circumstances. It was clearly proved to us, as I think we should all agree upon the Committee, that where local authorities suffer in purchasing property is from their not being able to carry on the leasehold or trade interests, but were obliged, or, at all events, that it was the custom that the tenants should at once be dispossessed, the local authority having to pay compensation to those various interests as well as to pay the freeholder or long leaseholder. Now that was the meaning of the first clause of those mitigating words, which runs thus—

“Under such circumstances, a local authority purchasing a freehold or long leasehold interest shall not be compellable to dispossess the occupying tenants.”

Following under that is a note that the local authority should be allowed to take the position of the existing landlord or vendor under the proposal, and allow the intermediate interests to run out, taking what benefit it can from the proceeding. The second proposal was alternative. What I endeavoured to propose was that the local authority should have the option of not becoming responsible for the intermediate interests at all, but should, instead of that, merely purchase the reversion, leaving the present owner, the vendor, to dispose of the existing interest—to carry on the leaseholds, and do all that was necessary in order to work out the existing intermediate interests. I believe that both those proposals if carried into effect would have great advantage for the local authorities, and would have great effect in mitigating the

proposal, which I believe to be very undesirable, and one which has the great disadvantage to which the noble Earl has referred—namely, of offering inducement to local authorities to become large owners of property and to carry on a variety of businesses which are altogether outside their duty. That, my Lords, is all I need say, I think, with regard to the Report. I accept it as an advance, but I cannot myself at all, so far as I am concerned, say that I agree to many of the conditions which have been attached to the recognition of the principle of betterment in the Report.

LORD HALSBURY: My Lords, I somewhat regret to hear from the noble Lord what he has just said, because when Members of a Committee meet and adopt a Report without having even divided upon its recommendations they are supposed to agree in the recommendations of that Committee. For my own part, I may have my own views as to the principle of betterment, but am I to be at liberty to say hereafter that I do not agree with it? I was Chairman of the Committee, and I did not divide against it, and I should regard myself as bound by it—as being my opinion at that time, at all events. But I should never be able to be bound or to act upon the finding of any Committee if a noble Lord might afterwards say, although I do not divide upon it, I must not be regarded as agreeing in or abiding by the decision of the Committee. That would be a very odd result indeed. My Lords, I am in the singular position of being called upon to explain the Amendment which the noble Lord himself introduced. Without entering upon any criticism of it, I may say that we agreed in Committee in terms which I will not repeat here. We are dealing with the practice of Parliament, and the practice of Parliament has been, except in cases which I will mention in a moment, only to allow the particular work, or whatever it may be that has to be done, to be done under this condition, that when the local authority or body concerned has purchased land for the purpose of an undertaking it has no right to acquire and hold other land. That has been done in the case of railway companies; after a certain time they are obliged to offer the land not required to adjoining

owners, and unless the land should be wanted for a station in the future, or for some other purpose after a certain time, the land actually goes back to the former owner. I only give that as an illustration of the policy of Parliament with regard to such bodies not holding land except for the purpose of the undertaking or improvement itself, and when you are dealing with street improvement the ordinary rule would be that you should only permit the local authority to hold so much land as is necessary for making the road or whatever the improvement may be. Parliament has to some extent departed from that, and has enabled many local authorities to hold land adjoining the road or improvement, and to get back by recouplement their expenditure by becoming the owner of land. We were in fact informed upon the Committee that the London County Council held rents to the extent of some £90,000 a year, which I think your Lordships will agree is rather an invasion of that principle of Parliament, whether that was the right figure or not, that was what was intended by the noble Lord's Amendment, and certainly I assented to it in that sense that instead of taking the ordinary course and compelling the local authority to have only what was necessary for its purpose that it should be permitted instead of pulling down the house and re-erecting others on the site not occupied by the improved street—that it should be permitted to hold the property for the purpose of allowing the leases to run out. But the great point made on behalf of the London County Council was that where you have to deal with trade interests there is an extraordinary expenditure necessarily incurred in getting rid of them, and, so far from its being an advantage to the County Council, they have been compelled to buy out trade interests at an extravagant price. The result has been disastrous to those who have adopted that course, and that has in a great measure injured the recouplement principle. The noble Lord's Amendment was a great improvement upon that. Now, as regards the meaning of the word "owner," as I understand that word, here it means the owners respectively; that is to say, the owners of the premises of the lease and of the reversion. I was a little startled at hearing Lord

Lord Halsbury

Morley speak of the rate being imposed 10 years afterwards. I will take one typical instance which was given before us. It was a lease of 40 years, where the Betterment charged could not operate for that time. It was only with regard to certain improved buildings by the side of the road, and it was held that as there was a 60 years' lease, which meant a 40 years' occupation of the premises as vinegar works, the improvement could not have any effect upon it for that period, because it was bound to be held in its then condition of vinegar works. However, my Lords, I am aghast at the notion of the assessment rate being withheld for 10 years. It was impossible for the Committee to lay down any fixed number of years, as each case, of course, differed in its circumstances, and while it was pointed out that you should not have it too soon in some cases, in others you should not delay too long while the occupation of the property was held in suspense. Certainly no Member of the Committee imagined that that was what was proposed.

THE EARL OF MORLEY: May I be allowed to explain what I meant from the passing of the Act? I gave the instance, of course, as hypothetical, purely.

LORD HALSBURY: I do not know, my Lords, that it is necessary for me to add anything to what I have said; I merely wished to answer the noble Lord's question.

THE FIRST LORD OF THE TREASURY AND LORD PRESIDENT OF THE COUNCIL (The Earl of Rosebery): My Lords, I do not know that it is necessary for me to add very much to what has been said from this side of the House. But I feel bound to enter a prompt caveat to the doctrine which has been laid down by the noble and learned Lord opposite, that unless you divide against a proposition you are supposed to agree with it. Is that true of a Committee? I do not know that I am a great authority on the practice in Committees, but my recollection in no respect agrees with it. But if such a principle would not apply in Committees, does it apply to this House—that we are to be taken as agreeing with every proposition against which we do not divide? We

certainly do not agree with every Bill and Motion against which we do not divide. My Lords, I am completely at a loss at the prospect opened up by the assertion of such a doctrine. I have not yet had time to realise it; but pending that realisation I would ask time to consider it, and in the meantime I enter my emphatic protest, even if I do not divide against it. With regard to this Report which, after all, was not so unanimous as the noble and learned Lord would make out, the conclusion of the Committee was not so clear as would appear on the face of it. It may possibly be of great advantage to the Chairman of Committees, but the great point of it is this—that it marks an enormous advance since August of last year. In August last we had two Debates in which the principle of Betterment was spoken of as some new and nefarious principle only to be handled with tongs; that even if accepted at all it must meet with only a very limited acceptance, but that it was hardly possible for the House to consider it at all. Now we have a much larger view taken, and we have it practically accepted as a doctrine by this Committee. The noble Marquess says he is not to be taken as accepting it quite fully, but at any rate he allows a Committee to consider the principle of Betterment in a Private Bill without protest or criticism, and that, to my mind, is a considerable advance.

THE MARQUESS OF SALISBURY : As far as I am concerned, as the noble Earl has been good enough to mention me, he will find nothing in my speech at the end of August last at all inconsistent with the finding of the Committee or with my action now.

THE EARL OF ROSEBURY : I do not apply that remark as to advancing to the noble Marquess. I do not say that the noble Marquess has moved an inch; he very seldom does. I only point out that the House has moved, and it is always a pleasure to know that it has even been temporarily advanced. Now, my Lords, I pass to a consideration in this Report of an educational kind. The Report contains this principle of purchase, which, I confess, seems to me open to considerable question. The noble Marquess

has described it as giving the option of recoupment to the tenant who is about to have this charge imposed upon him. But then that is a one-sided option—it does not give the public local body any option in the matter at all, and that does not seem to me entirely fair. What will be the option of such a provision? You will have the tenant able to put considerable pressure on the body by saying, “If you do not estimate your betterment at something considerably less than the sum at which you have estimated it, I will force you to purchase.” You may say that the compulsion to purchase is not a very severe compulsion, when, as the evidence seems to show, the London County Council owns considerable property already; but recoupment as hitherto understood is a very different thing to what is contemplated by this clause. When for the purpose of making a great improvement it is a very different thing if you have to buy a great estate, and if you are to be compelled to purchase a number of scattered properties all over the region over which the improvement may be made. It may be very expensive work, and one which will be by no means a source of profit. I will carry the matter further; with regard to the London County Council, there is one very grave inconvenience which may arise. Take the case of a public-house. In carrying out an improvement, a public-house might be made to face a thoroughfare, and instead of being in a dark, narrow lane, might flare with all its gas-jets on some great open avenue where it would exercise great attraction. The amount of betterment assessed by an arbitrator on such a property might not unfairly be a considerable sum. The owner of the public-house might thereupon say he was not obliged to pay that sum, and the London County Council would be compelled to buy the property I presume at the price set upon it by the arbitrator. What would be the result? The London County Council have laid down for themselves a hard-and-fast line that they will not possess a licensed public-house, and the moment they acquire such a property at probably a fancy price they will be compelled to let the licence drop and to lose the whole advantage of its value to the ratepayers. Some of your Lordships may think that

is a principle they ought not to have laid down. It is possibly a principle which all the Members of this House might not accept without reservation, but it is a principle upon which they have acted at some cost since they have been a Council, and from which they would not be inclined very willingly to depart. Then there is another point. The noble and learned Lord says this question of purchase would apply to all the interests involved: those of the tenant, of the reversioner, and of the freeholder. That, I think, might produce a very difficult position, because one interest might elect to be paid off by the London County Council while another might not, and the position of the property in question might be so complicated, the interests might be so vast and varied, that it would be extremely difficult to ascertain what they were. The Council might possess different interests in several houses in one street, and I do not think that is a fair position for any Council to be placed in. I am not one of those who think that it is very desirable to confer upon municipal authorities the power of holding a considerable amount of house property. It overloads them; it oppresses them in the exercise of their more immediate and natural functions; and I think there are other obvious objections to it which will occur to anyone who has had practical dealing with this question. But there is no doubt that these objections do not occur to the advanced school of municipal reformers. Their wish would rather be that municipal authorities should possess all the property in a town, that they should possess the right to all the increment that may accrue in rents; and, therefore, as far as you are altering the law, if you do alter it in this direction, on the recommendation of your Committee, you are by no means serving Conservative interests by promoting rather than resisting those daring municipal views to which, I think, many of your Lordships would be sorry to give support. But when all is said and done, we on this side of the House cannot but rejoice that there is no impracticable objection offered to the adoption of this principle of Betterment in the presentation of Bills, to even a small extent, and, so far as that goes, we are prepared to accept the Report as, at

The Earl of Rosebery

any rate, an instalment, showing a better state of mind.

*THE EARL OF ONSLOW: My Lords, I rise to express my surprise that the noble Earl the Prime Minister should have said it was the opinion of the majority of the House that the principle of Betterment was unjust. My Lords, I have a distinct recollection of the Debate to which the noble Earl has referred. In the first place, there was the Resolution which I put upon the Paper and to which your Lordships agreed. There was not a single word in that Resolution which said that where property was improved the owners should not pay a special contribution. All that the Resolution said was that the question of Betterment should be settled by the whole House rather than by a Committee considering a Private Bill. I fail entirely to agree with the noble Earl that any noble Lord on this side of the House did in the abstract resist that principle.

THE EARL OF ROSEBERY: On which side of the House does the Duke of Argyll sit?

*THE EARL OF ONSLOW: I was just about to say that the noble Duke (who is not in his seat to-night) did say that in his opinion a special contribution for property specially benefited was already made by the increased contribution to the rates which that property must necessarily bear after the improvement had been effected, but I do not think that even the noble Duke denied that where a special benefit was conferred upon property a special contribution should be made in respect of it. All he argued was that that special contribution was made at present under the existing law. I think the noble Earl has a little misapprehended the intention of the Committee with regard to the principle of recoupment. I do not think the Committee at any time anticipated that the local authorities should acquire property here, there, and everywhere, for the purpose of recouping themselves. All the Committee have recommended is that where a local authority acquires property, as it now does, which has been required for the purpose of improvement they should not be compelled to purchase the trade and leasehold interests in the property, but should also be empowered to buy only the right of the owner or of the

reversioner to the land ; that they should let the subsidiary interests run out, and then they would come into possession of the property with the full advantages of the improvement they had themselves effected. If, as the noble Earl said, it should chance that such property should be licensed property, of course one cannot help admiring the self-abnegation of the London County Council in refusing to hold public-house property. At the same time, I would point out to the noble Earl that it would be quite within the powers of the London County Council to dispose of any licensed premises they may acquire, and so obtain all the advantages of the improvements which they have carried out.

Motion agreed to.

FINANCE BILL.

FIRST READING.

Bill brought from the Commons ; read 1^a.

THE MARQUESS OF SALISBURY : My Lords, I would press upon the noble Earl that we should have sufficient time to make ourselves masters of the provisions of this measure, which I believe are very difficult and complicated. I will not now go into any question as to the separate functions of the two Houses in this matter, but it is quite clear that if we are to pass the Bill we should have an opportunity of understanding it, which I am told is not very easy. I trust the noble Earl will not think it an extravagant request when I ask that the Second Reading should not be taken before this day week.

THE EARL OF ROSEBURY : I rather envy the facility of noble Lords who will be able to make themselves masters of all the details of this Bill by this day week. But I do not think that it is necessary, for the purpose of passing the Bill, that they should make themselves masters of it, because I deprecate altogether the idea that the House of Lords has anything to do with Money Bills. Any discussion of it must obviously be academic, and therefore I should have thought "the least said, soonest mended" with regard to this measure. Of course, it will interpose considerable delay if the Second Reading of this Bill is postponed till Thursday, because it will put off the

next stage till Friday, and that would prevent the passing of the Bill into law for 10 days. However, I am not master in this House, and if the noble Marquess wishes it we will take the Second Reading on the day he names.

***THE MARQUESS OF SALISBURY :** May I be allowed to protest against the doctrine which the noble Earl has laid down, especially after what has already passed this evening. If the noble Earl will refer, he will find that, in the days of Lord Derby, a Bill dealing with finance was not merely discussed, but an Amendment to it was moved in the House of Lords. An important Amendment was moved, and a Division was taken upon it. At that time the Liberal Party had a majority in this House. They may seem strange to the noble Earl, but so it was. I do not know what the causes may have been which have led to an alteration in that respect, but the Liberals at that time had a majority in this House, and resisted any alteration in the Bill, they carried their view by a majority of 32. I quote that circumstance to show that, certainly since I was in Parliament, and for a very long time before, the House of Lords possessed, and did exercise its right to deal with the provisions of a Bill of this kind, and even, if necessary, to amend such a Bill. I do not, however, stop to enter into the law dealing with this subject. It is, indeed, very complicated. The noble Earl must, however, be aware that it has been laid down by Mr. Gladstone that the House of Lords have never admitted the privilege claimed in this matter by the House of Commons and has never abandoned its right to consider money Bills ; and when the noble Earl lays down, *ex cathedra*, from his present place, such a doctrine as we have just heard from his lips, I am bound to point out what the actual technical form of constitutional right is in this House.

THE EARL OF KIMBERLEY : I should like to know whether it is intended by the noble Marquess to affirm that this House has exercised the privilege within any time that we can remember of amending any Money Bills. I have always heard that this House could exercise the power of rejecting a Money Bill as a whole ; but I have also always

heard it stated that amendment of a Money Bill, whatever has been the abstract right of this House, has long been abstained from. If the attempt to introduce it is about to be renewed on this occasion, I hope that the noble Marquess will give us notice of any Amendment before he moves it.

THE MARQUESS OF SALISBURY : That I readily promise to do. But to answer the question of the noble Earl, I would beg him to refer back to the year 1826. It is a year to which some of us can go back.

THE EARL OF KIMBERLEY : Certainly ; it is the year in which I was born.

THE MARQUESS OF SALISBURY : An auspicious year in every respect. In that year a Money Bill was attacked, and the House of Commons accepted the Amendment. If the House of Commons takes exception to an Amendment, all that we can do is to pass an Amendment which causes the rejection of the Bill. I am not expressing the slightest intention of moving an Amendment to the Finance Bill, and I do not know whether any noble Lord has any such intention. I only demur to the doctrine enunciated on the other side of the House, which appears to me to be unsound.

THE EARL OF ROSEBERY : I would remark, in the words of a predecessor of the noble Marquess, that a good deal has happened since then, and I should not be inclined to say that the Earl of Derby, with all his talents and ability, is the safest parallel to take or the surest guide to follow. He was the Leader of the Opposition at the time when the Bill which has been referred to was rejected in this House. I understand from the noble Marquess that he does not intend to propose any Amendment to the Finance Bill.

THE MARQUESS OF SALISBURY : Not myself.

THE EARL OF ROSEBERY : Therefore, I presume all that we are asked to postpone the next stage of this Bill for is a certain amount of barren discussion. Is anything more than that contemplated ?

THE MARQUESS OF SALISBURY : Are all speeches barren which do not end in a Division ?

The Earl of Kimberley

THE EARL OF ROSEBERY : I think all speeches are barren which lead to no practical result.

THE MARQUESS OF SALISBURY : That remains to be seen.

THE EARL OF ROSEBERY : Then we will fix the Second Reading of the Bill for Thursday.

Bill to be printed ; and to be read 2^a on Thursday next.—(No. 168.)

LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 11) BILL.—(No. 121.)

Returned from the Commons with the Amendment agreed to. +

NOTICE OF ACCIDENTS BILL.

Returned from the Commons with the Amendments agreed to. X

PREVENTION OF CRUELTY TO CHILDREN BILL.—(No. 145.)

Returned from the Commons with the Amendments agreed to. +

LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 13) BILL.—(No. 125.)

Returned from the Commons with the Amendments agreed to. +

LOCAL GOVERNMENT (IRELAND) PROVISIONAL ORDERS (No. 14) BILL. (No. 137.)

Returned from the Commons with the Amendments agreed to. +

LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 17) BILL.—(No. 123.)

House in Committee (according to Order) : Amendments made : Standing Committee negatived ; the Report of Amendments to be received To-morrow.

LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 14) BILL.—(No. 150.)

House in Committee (according to Order) : Amendments made : Standing Committee negatived ; The Report of Amendments to be received To-morrow.

LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 18) BILL.—(No. 151.)

House in Committee (according to Order) : Bill reported without Amendment : Standing Committee negatived ; and Bill to be read 3^a To-morrow.

LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 12) BILL.—(No. 122.)

Read 3^a (according to Order), and passed.

SEA FISHERIES (SHELL FISH) BILL.
(No. 141.)

Read 3^a (according to Order), and passed.

LOCOMOTIVE THRESHING ENGINES BILL.—(No. 158.)

Read 3^a (according to Order), with the Amendment, and passed, and returned to the Commons.

PREVENTION OF CRUELTY TO CHILDREN BILL [H.L.].

A Bill to consolidate the Acts relating to the prevention of cruelty to and protection of children—Was presented by the Lord Chancellor; read 1^a; and to be printed. (No. 169.)

House adjourned at twenty-five minutes before Six o'clock, till To-morrow, Three o'clock.

HOUSE OF COMMONS,

Thursday, 19th July 1894.

QUESTIONS.

INDIAN STAFF CORPS.

SIR S. KING (Hull, Central): I beg to ask the Secretary of State for India whether he has yet received an answer from the Government of India to his dispatch sent from the India Office at the end of May this year, on the subject of the grievances of officers in the Staff Corps; whether he is now in a position to lay upon the Table the Papers relating to these grievances, including the Memorandum submitted to the late Commander-in-Chief and his suggestions thereon; and whether any decision, and, if so, what, has been arrived at on the subject?

***THE SECRETARY OF STATE FOR INDIA** (Mr. H. H. FOWLER, Wolverhampton, E.): No answer has been received to my Despatch regarding the promotion

of officers of the Staff Corps, nor has any decision been arrived at on the subject. As I informed the hon. Member on the 31st May last, until the correspondence is complete the Papers cannot be presented to the House.

THE MOUNTJOY DEMESNE EDUCATIONAL BEQUEST.

MR. M. KENNY (Tyrone, Mid): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he can state whether a bequest by one John M'Evoy, to found and endow a school at Knockmoyle for the education of children born on the Mountjoy Forest Estate, County Tyrone, is now being applied, so far as the endowment is concerned, to the use of a school at Dunmullen not on the estate; and whether the proper body exercising control in the matter of educational endowments will inquire into the facts of the case and correct any abuse that may be found to exist?

THE CHIEF SECRETARY FOR IRELAND (Mr. J. MORLEY, Newcastle-upon-Tyne): I am informed by the Commissioners of Charitable Donations and Bequests that the bequest referred to does not contain any provision for the endowment of a school at Knockmoyle. The will made provision for the education of boys born on the Mountjoy Demesne, and the annual interest on the endowment, amounting to less than £8, is remitted for this purpose to the rector of the parish. The demesne, as such, has ceased to exist, and the rector has let it be known that he would devote the income to the instruction at the Omagh Model School of boys born on the estate, or, failing applicants for instruction at this school, to the general purposes of primary education in a school in the neighbourhood of of the demesne.

THE IRISH LANGUAGE IN IRISH SCHOOLS.

MR. FIELD (Dublin, St. Patrick's): I beg to ask the Chief Secretary to the Lord Lieutenant for Ireland if there is any objection to appoint Professors of Irish for the Teachers' Training College in Marlborough Street, Dublin, under the direct control of the Commissioner, and if there are objections, in what these objections consist?

MR. J. MORLEY : The question of appointing a Professor to teach Irish at this Training College was referred by the Commissioners to the Professors of the Training College for their opinion; and their unanimous reply was that Irish could not possibly be introduced into the curriculum of the College except by the exclusion of some other subject of certainly more practical importance.

THE THREE CROFTERS.

SIR D. MACFARLANE (Argyllshire): I beg to ask the Lord Advocate if his attention has been called to a demand made upon certain crofters in Tiree by Mr. Sproat, who is fiscal and also agent for the Duke of Argyll, to pay half the cost of the erection of a march dyke; and, whether, in the absence of any agreement to contribute to the erection of the dyke, they can be legally compelled to do so?

***THE LORD ADVOCATE** (Mr. J. B. BALFOUR, Clackmannan, &c.): It appears that the march dyke between the farm of Greenhill in the Island of Tiree and the adjoining crofting township got into disrepair, and that the tenant asked the township to join in putting it in order. As they declined to do so, an action was brought in the Sheriff Court by the tenant, with the result that the Sheriff repelled the defence stated by the crofters, and found them bound to execute the repairs, giving them a reasonable time to do so. The time having elapsed without the crofters executing the work, it was done at the sight of a person appointed by the Sheriff, who subsequently granted a second decree for the cost. The tenant, I understand, has paid his part, but the crofters still refuse to pay theirs. As the question of liability has been litigated by the crofters, and they have not appealed against the Sheriff's decision, they are bound to obey the decree for payment.

DILATORY PUBLICATION OF THE ACTS OF PARLIAMENT.

SIR J. LENG (Dundee): I beg to ask the Secretary to the Treasury whether he is aware that much inconvenience is caused to the members of the legal profession, Clerks of the Peace, and officials of Public Boards by the dilatory publication of the Acts of Parliament; and

whether anything can be done to expedite the publication of the volume of Statutes at the end of the present Session?

THE SECRETARY TO THE TREASURY (Sir J. T. HIBBERT, Oldham): My hon. Friend is, no doubt, aware that the separate Acts are, subject to unforeseen circumstances, published at once after the Royal Assent is signified and the correctness of the copy proved. The question of the most convenient date for the publication of the volume was not long ago considered by a Committee specially appointed for the purpose, who considered that the volume might in an ordinary Session be in the hands of the public before the commencement of the Michaelmas Term, and this was the arrangement made. A great deal of editorial and other work in connection with the volume has to be done after the close of the Session, and it was judged that if the publication were hurried—which would necessitate leaving out valuable information now given—the public would lose more than it gained by the quicker issue. I can assure my hon. Friend that both I and the Comptroller of the Stationery Office are fully alive to the importance of expeditious publication of the Statutes.

ST. JAMES'S PARK.

MR. JOHN BURNS (Battersea): I beg to ask the First Commissioner of Works whether he will cause to be re-opened for children to play upon, several of the grass plots of which they have been deprived in St. James's Park; and whether he will follow the example in other parks and reduce the height of all the railings and, in several cases, remove entirely the high and ugly cast-iron railings that obstruct the view of the gardens in St. James's Park?

***THE FIRST COMMISSIONER OF WORKS** (Mr. H. GLADSTONE, Leeds W.): I should like to point out that St. James's Park is virtually one with the Green Park. If the amount of grass available in the former for a playground is insufficient, children can cross the Mall to the Green Park, where there are about 40 acres of grass unenclosed. The beauty of the flower beds and lawns in St. James's Park is a special feature, which I do not think anyone wishes to impair. But I am anxious that the enclosure

should not be more than is necessary, and I have given directions for a portion of the grass in the south-east corner of the park to be thrown open. A lighter railing, whenever practicable, will be substituted for the existing fencing, a good deal of which is unnecessarily heavy.

MR. PIERPOINT (Warrington): May I ask the right hon. Gentleman if he can see his way to making the parks a little more decent and suitable for children by putting an end to the hideous ravings of political and religious tuft hunters?

[No answer was given.]

THE WEST HAM TOWN CLERKSHIPS.

MR. JOHN BURNS: I beg to ask the President of the Local Government Board whether his attention has been directed to the fact that the Town Clerk of West Ham, besides his clerkship, is also filling 16 other different offices, the occupancy of which necessarily conflicts with the proper discharge of his duties to the West Ham Town Council; and whether some limit should be placed on the number of offices a public official should hold?

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (MR. SHAW-LEFEVRE, Bradford, Central): I have no information as to the several offices held by the Town Clerk of West Ham beyond that given in the newspaper which my hon. Friend has sent to me, but if the facts are as stated the offices which he holds are unusually numerous. But I have no jurisdiction in the matter.

MR. JOHN BURNS: Am I to understand that the Local Government Board have not power to prevent town clerks and clerks to Boards of Guardians from taking private appointments? I have information of one case in which the number of such appointments is 17, and of another in which it amounts to 24—directly conflicting with the pecuniary interests of the ratepayers which a town clerk should watch.

MR. SHAW-LEFEVRE: I am advised that I have no jurisdiction in the matter and no power to intervene.

MR. JOHN BURNS: May I ask whether the right hon. Gentleman is aware that East and West Ham are supplied with

gas by the Gas Company to which the Town Clerk of West Ham is solicitor, and that 7d. or 8d. more per thousand is being paid than ought to be? Is the right hon. Gentleman also aware that the rates in that particular district are abnormally high, and that there are complaints of inefficiency and maladministration which the ratepayers believe to be due to the fact that the Town Clerk holds these 16 offices in addition to that of Town Clerk?

MR. SHAW-LEFEVRE: I have not had any complaints on the subject. I believe the hon. Gentleman is correct in saying that the rates are very high, but to what that is due I cannot say.

MR. JOHN BURNS: Do I understand that the right hon. Gentleman will decline to send one of his Inspectors to inquire into these allegations of maladministration, which many ratepayers believe to be the result of pluralism?

MR. SHAW-LEFEVRE: I must wait till some official complaint is made to me. No such complaint has yet been made.

*SIR C. W. DILKE (Gloucester, Forest of Dean): In the event of application being made to the Local Government Board to know whether there is any reason against the appointment to a particular office of a particular person, will inquiry be made as to the offices already held by such person? Of course, that does not apply to town clerks.

MR. SHAW-LEFEVRE: The only case in which I have jurisdiction would be on a fresh appointment of clerk to a Board of Guardians. In respect to that I will make inquiries in the direction indicated.

MR. BARTLEY (Islington, N.): May I ask whether these appointments are not made by the Local Authority, who are absolutely appointed by the people under the present system of democratic Government?

MR. J. CHAMBERLAIN (Birmingham, W.): I was going to ask the same question. Is it not in the competence of the Town Council of this district to make arrangements with its town clerk as to paying him sufficient to make it unnecessary for him to hold these supplementary offices?

MR. SHAW-LEFEVRE: I believe that is so.

MR. R. G. WEBSTER (St. Pancras, E.): Is it not a fact that while the right hon. Gentleman has full power and jurisdiction over clerks to Guardians he has no power whatever over clerks to Town Councils and Vestries?

MR. SHAW-LEFEVRE: I have already said that I have no jurisdiction whatever over Town Councils. The only case in which I could interfere would be on the fresh appointment of an officer under a Board of Guardians, and then my power would be limited to deciding what the salary should be.

MR. BARTLEY: Will the right hon. Gentleman answer my question?

MR. SHAW-LEFEVRE: Undoubtedly a Town Council has full power to appoint its own officers and fix their remuneration.

MR. BARTLEY: Then I understand this is a matter entirely for local arrangement, and what is sought is that the central government should over-ride the Local Authority.

MR. JOHN BURNS: Considering the helplessness displayed by the Local Government Board, in taking no step to prevent a grave public scandal, I give notice that when the salary of the President of the Board is under consideration I shall move to reduce it by £1,700, £100 for each berth occupied by this gentleman.

THE PACIFIC CABLE ROUTE.

MR. HOGAN (Tipperary, Mid): I beg to ask the Postmaster General whether, in view of the decision of the Ottawa Conference to recommend a complete survey of the route of the proposed Pacific cable and the conflicting estimates of the cost of such survey that have been published, he has any official information at his command upon which a trustworthy estimate may be based?

THE POSTMASTER GENERAL (Mr. A. MORLEY, Nottingham, E.): The only information at my command is that which is contained in the "Charts and Sailing Directions" published by the Admiralty, and in a Report, published by the Government of the United States, of a survey of the Pacific between California and the Hawaiian Islands undertaken by American ships in the years 1891 and 1892.

THE AMERICAN STRIKES.

MR. HOGAN: I beg to ask the Postmaster General whether any official corroboration has been received of the reported delay and destruction of Australian and New Zealand mails *viâ* San Francisco during the recent railway strike riots in the United States?

MR. A. MORLEY: There is no foundation for the statement published in certain newspapers that I have received an official intimation of the destruction of mails sent *viâ* San Francisco.

RINN AND BLACK RIVER DRAINAGE.

MR. TULLY (Leitrim, S.): I beg to ask the Secretary to the Treasury whether he is aware that portions of the drainage charge in the districts of Rinn and Black River, in the Counties of Leitrim and Longford, have been lately assessed by the Commissioners of Public Works on Alexander O'Connor, Drumharkan, Patrick O'Donnell, Mary Foley, senior, and Mary Foley, junior; whether he is aware that this charge had been previously paid by the Church Temporalities Commissioners; and whether he will cause inquiry to be made as to the liability of the Church Temporalities Commissioners, as proprietors in the terms of the charging order, to pay off the whole of this drainage charge before disposing of the glebe lands to the tenant purchasers?

SIR J. T. HIBBERT: I am informed that the Rinn and Black River Drainage District Award was made on the 26th April, 1859, and the charge on the lands referred to (Drumharkana Glebe) was redeemed in 1872 by the Church Temporalities Commissioners. The Drainage Trustees, who are bound to maintain the works that had been executed, having neglected to do so, they got into serious disrepair. They were restored by the Board of Works under "The Drainage Maintenance Act, 1866," at a cost of £2,713 3s. 7d., which is repayable by the present proprietors in 24 half-yearly instalments under the Board's Charging Order of 28th April, 1894. The parties named are now proprietors, having purchased their holdings under the Church Temporalities Commission, and are liable to be assessed for the maintenance of works.

CARLOW LUNATIC ASYLUM.

MR. J. HAMMOND (Carlow) : I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that after three abortive elections an appointment to the post of physician to the Carlow Lunatic Asylum has been made by a majority of the Governors, and whether the Board of Control will now ratify the appointment?

MR. J. MORLEY : No official Report has yet been received of the proceedings at the recent meeting of the Board of Governors of the Carlow Asylum in relation to the appointment of an Assistant Medical Officer, though it appears from a newspaper report that such an appointment was made on the 13th instant. The appointment, however, is probationary only in the first instance, and will require to be confirmed by the Governors at a meeting to be held not sooner than three nor later than six months from the date of the probationary appointment. Should the appointment be then confirmed by the Governors, it will be submitted to the Lord Lieutenant for his approval pursuant to Statute.

MR. T. M. HEALY (Louth, N.) : Will the only point for the consideration of the Government, when the probationary term comes to an end, be medical fitness and conduct in office, and have no reference to antecedent circumstances?

MR. J. MORLEY : I am not quite sure, but I believe that is so.

SHOT FIRING IN MINES.

MR. J. E. ELLIS (Nottingham, Rushcliffe) : I beg to ask the Secretary of State for the Home Department whether, having regard to the disasters and loss of life which have taken place in coal mines through the presence of coal dust and the dangerous use therein of shot-firing, the Government will be prepared to press forward a measure next Session carrying out the recommendation of the Royal Commission on Coal Dust, in their Report on 16th June, 1894, that the Secretary of State should be given further powers to limit and prohibit the use of gunpowder in fiery, dry, or dusty mines?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. Asquith, Fife, E.) : I hope next Session to introduce a Bill dealing with the

matters discussed in the Report, especially with regard to shot-firing and coal dust.

DISEASE AMONG CANADIAN CATTLE.

MR. J. E. ELLIS : I beg to ask the President of the Board of Agriculture when the evidence taken in the recent inquiry into the lungs of certain Canadian cattle will be presented to the House; and whether he can now state the conclusion at which the Department has arrived thereon?

THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. H. Gardner, Essex, Saffron Walden) : The evidence in question is of a very technical character, and will require careful revision, but I hope it will not be long before I am in a position to present it to the House. I stated on the 12th instant that there does not seem to be any prospect at present of my being able to dispense with the normal statutory requirement of slaughter at the port of landing in the case of cattle imported into this country from Canada, and I cannot at the moment add to this statement. I propose, however, to embody the facts upon which it is based in a reasoned Minute which will be included in the other Papers to be presented.

SECONDARY EDUCATION IN AYRSHIRE.

MR. BIRKMYRE (Ayr, &c.) : I beg to ask the Secretary for Scotland whether the Education Department is aware that the grant for secondary education is being distributed in Ayrshire in grants to ex-VI. scholars in elementary schools in the county, as well as the secondary schools in the county; and whether this application of the money has been sanctioned by the Department?

THE SECRETARY FOR SCOTLAND (Sir G. Trevelyan, Glasgow, Bridgeton) : The scheme for the distribution of the secondary education grant in Ayrshire provides for a certain amount being assigned to scholars in state-aided schools, who have passed out of the standards and are receiving some higher education. Such an application is justified by the purposes of the grant.

FISCAL POLICY IN NEW ZEALAND.

MR. DIXON (Birmingham, Edgbaston) : I beg to ask the Under Secretary

of State for the Colonies whether he is aware that the *New Zealand Times* (the organ of the Government) of 9th May, 1894, contains a leading article advocating the substitution of paper currency for gold and silver; whether the Legislature in that Colony has the power to pass an Act for that purpose; and whether it would be competent for the Crown to veto such an Act were it passed by the New Zealand Legislature?

MR. HOGAN: Before the Under Secretary replies, may I ask him whether he is aware that the New Zealand Government is no more responsible for the opinions expressed by the *New Zealand Times* than Lord Rosebery is responsible for the opinions of the *London Times* or the hon. Member for South Belfast for the sentiments of the *Freeman's Journal*; and also is he aware that at the best-informed sources of information in London nothing whatever is known of the design attributed to the New Zealand Government in the question?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (MR. S. BUXTON, Tower Hamlets, Poplar): Before I reply to the question on the Paper I will answer the one put to me by the hon. Member for Mid-Tipperary by saying that I know nothing about the international arrangement between the Government and the Press of New Zealand to which he has called my attention. My hon. Friend the Member for Edgbaston has showed me the article referred to in his question. But I think he must not assume that because a particular measure is advocated in a newspaper stated to be an organ of the Colonial Government that any such measure will be necessarily adopted by the Colonial Government. As regards the two last questions, the Colony has the power to pass such an Act as that suggested in the question. The Queen has power, if she should be so advised, to disallow such an Act; and the Governor is required by his Instructions to reserve for the signification of Her Majesty's pleasure any Bill affecting the currency of the Colony unless in a case of urgent necessity.

THE PROVIDENT ASSOCIATION OF LONDON.

MR. JESSE COLLINGS (Birmingham, Bordesley): I beg to ask the Presi-

Mr. Dixon

dent of the Board of Trade whether his attention has been called to the proceedings of a company, styled the Provident Association of London, more especially to the issue of so-called "House Property Bonds," and the ballots which take place periodically in connection with them; and whether, having regard to the dissatisfaction which is felt by a number of subscribers, he has power to order an investigation into the affairs of the company in order to remove the doubts which exist as to the solidity of its position?

THE PRESIDENT OF THE BOARD OF TRADE (MR. BRYCE, Aberdeen, S.): The circumstances of the company have not recently been brought to the notice of the Board of Trade, but if members of the company holding not less than one-fifth part of the whole shares of the company for the time being issued apply to the Board of Trade to order an examination into the affairs of the company their application shall receive careful and prompt consideration.

PRECAUTIONS AGAINST CHOLERA IN IRELAND.

MR. FIELD: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether, in view of a possible visitation of cholera, and the fact that the President of the Local Government Board for England has deemed it advisable to supplement the work done by the permanent officials by the re-appointment of extra Medical Inspectors for another year, extra Medical Inspectors have been appointed in Ireland; and whether the Local Government Board for Ireland have made any request to the Government for the appointment of extra Inspectors; and, if not, whether the Irish Board are satisfied with the sanitary condition of the country generally and its preparedness to resist an epidemic of cholera?

MR. J. MORLEY: Treasury authority was obtained last year for the employment of an additional Inspector for a period of seven months for special work connected with precautionary measures against cholera. This term of employment expired on March 31st last. Application was made by the Local Government Board to retain the services of this temporary Medical Inspector for five months

longer ; but as no positive necessity was shown at the time for the extra expenditure involved, I was of opinion, upon the information before me, that no case had been made out for then approaching the Treasury in the matter. In some localities much remains to be accomplished in the direction of improved water supplies, efficient drainage, and the removal of nuisances ; but these, I apprehend, are matters for the attention of the Board's permanent staff, which contains four Medical Inspectors.

REGISTRY OF DEEDS OFFICE, IRELAND.

MR. FIELD : I beg to ask the Secretary to the Treasury whether he is aware that a Royal Commission, reporting in 1881 upon the Registry of Deeds, Ireland, recommended that the office hours on Saturday should be from 10 till 2 o'clock, and that in order to give effect to such recommendation the Registry of Deeds Holidays Act was passed in 1883 ; whether he is aware that the officials, having enjoyed the Saturday half-holiday for 10 years, are now compelled to attend from half-past 9 to half-past 4 o'clock on alternate Saturdays, not only in direct violation of the Statute, but also of the Order in Council of August 15th, 1890, which reserved the existing privileges of all Civil servants ; and whether he is prepared to restore to those officers the regular half-holiday which they were given by the Statute ; and, if not, whether he will lay upon the Table of the House the Correspondence upon the subject which passed between the Registrar and the Treasury, in order that the matter may be discussed when the Estimate for the Department is taken ?

SIR J. T. HIBBERT : The Act of 1883 requires the Registry of Deeds to be closed at 2 on Saturdays for business. The Treasury are advised that this provision refers to business with the public, and does not exempt the staff from the ordinary rules as to attendance laid down by Order in Council for the Civil Service. The saving provision referred to by the hon. Member applies only to annual holidays. The existing staff of the Registry of Deeds received personal additions to their salaries when the seven hours day was introduced, and the rule of half-holidays on alternate Saturdays is an integral part of that system. There

is no correspondence on the subject which could usefully be published.

IRISH LIGHTS BOARD.

MR. FIELD : I beg to ask the President of the Board of Trade whether the Irish Lights Board can give a contract without the consent of the Board of Trade ; whether he is aware that the Appledore firm employs non-Union men at less than current Union wages ; and whether he will take steps to ensure that in all such contracts the Fair Wages Resolution passed by this House is enforced ?

MR. HARRINGTON (Dublin, Harbour) : At the same time, I will ask the right hon. Gentleman whether contracts for the repairs of vessels under the control of the Irish Board of Lights are given away by the Board of Trade or by the Board of Irish Lights ; whether the tenders recently submitted included tenders from two Dublin firms, one of which had already satisfactorily discharged contracts for the Irish Lights Board ; and whether it was a condition that the tenders should set forth the rate of wages given to the men employed by the different firms ; if so, whether the contract was given to a firm that professedly employed men at wages far under the standard rate, and the duty of declaring the contract was discharged by the Irish Lights Board or by the Board of Trade ?

MR. BRYCE : The consent of the Board of Trade is necessary to the validity of a contract accepted by the Irish Lights Commissioners. I have no official information as to whether the Appledore firm employ non-Union men at less than current Union wages ; but Appledore being a small place it is possible that the rate of wages obtaining there may be lower than those in more populous districts ; and I have seen a statement to the effect that they are lower than those generally current in the Bristol Channel District. The Irish Lights Commissioners are not a Government Department, and I am advised that the Board of Trade are not under their statutory powers entitled to refuse their consent to a contract made by the Irish Lights Commissioners, on the ground that the Commissioners have not made inquiries regarding the rates of wages paid by a contracting firm. In conveying the sanction of the Board of Trade to

the acceptance of the tender, the Board of Trade have urged upon the Commissioners of Irish Lights the propriety of giving effect in future cases to the resolution of the House of Commons of 13th February, 1891. In answer to the question of the hon. Member for the Harbour Division, I have to say that the contracts referred to in the question are entered into by the Irish Lights Commissioners, but the statutory approval of the Board of Trade is necessary to the completion of the contract. I am informed by the Irish Lights Commissioners that among the tenders recently submitted to them there were tenders from two Dublin firms, and I understand that one of these firms has been satisfactorily employed before; but these tenders were very greatly higher than the tender accepted by the Commissioners, subject to the sanction of the Board. The Irish Lights Commissioners did not make it a condition that the tenders should set forth the rate of wages given to the men employed by the different firms, and they inform me that they do not consider it their duty to make any inquiries upon this point. As I have explained to my hon. Friend the Member for St. Patrick's Division of Dublin, the Irish Lights Commissioners are not a Government department.

MR. HARRINGTON: May I ask whether, as a matter of fact, in the tenders submitted the rate of wages is not set forth? The right hon. Gentleman says he has no official knowledge of the rate of wages, but will he refer to the tenders themselves? If he will he will see that the rate of wages to be paid is given, and if the difference in the estimates is mainly due to the rate of wages, will the right hon. Gentleman consider himself justified in refusing his sanction to the contract?

MR. BRYCE: Speaking from memory, I believe the rate of wages is not set out in the contract; but, whether it is or not, the Board of Trade have not the power to refuse their sanction.

MR. HARRINGTON: Is the right hon. Gentleman aware that the Board of Irish Lights defend their action in the matter on the ground that they have no power, and that the acceptance of the contract really rests with the Board of Trade?

Mr. Bryce

MR. BRYCE: I have no reason to believe that the Commissioners of the Board of Irish Lights have made any such defence. Such conduct in the matter would be entirely in contradiction to the view that they have expressed to me.

MR. FIELD: May I ask whether, in the communication that has been received from the Board of Irish Lights, and which I have forwarded to the right hon. Gentleman, there are any statements which would bear such an interpretation?

MR. BRYCE: I am not aware that there is any statement in the communication referred to that would suggest that view.

LIVERPOOL LAIRAGES.

MR. FIELD: I beg to ask the President of the Board of Agriculture whether complaints have reached him that foreign cattle landed at the Woodside and Wallasey lairages in Liverpool port have been subjected to injurious treatment through the want of a sufficient reception lairage, as required by the Contagious Diseases (Animals) Acts and by the Orders in Council in connection therewith; will he explain why memorials upon this subject from the trade to the Board of Agriculture have received no attention: whether the landing of cattle at night in the absence of electric light will be continued; and whether he will cause an inquiry into the matter complained of?

MR. H. GARDNER: Representations have recently reached me from one of the leading importers of cattle at Liverpool as to the insufficiency of the accommodation provided at the Foreign Animals Wharves at that port. Those representations have received attention, and I have caused inquiry to be made and have been in communication with the Mersey Docks and Harbour Board and with my correspondent on the subject. The pressure experienced appears to be due to the exceptionally heavy imports of live stock which have been recently received at Liverpool, and to the reluctance of owners to slaughter until the last possible moment in the hope of some improvement in prices being manifested. I do not anticipate any unwillingness on the part of the Mersey Board to provide additional accommodation if the expan-

sion of the trade should continue, and as evidence of this I may say that during 1893 additional provision for 1,200 cattle was made. I do not appear to have received any complaint as to the insufficient lighting of the wharves at night.

MR. FIELD: Will the right hon. Gentleman send some competent person to make inquiries in the district?

MR. H. GARDNER: I have made inquiries.

POACHING ON THE SHANNON FISHERIES.

MR. W. KENNY (Dublin, St. Stephen's Green): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that Francis Farrell, Daniel Farrell, and Patrick Farrell were convicted at the Patrick's Well (County Limerick) Petty Sessions on the 17th April last of poaching in the Several Fishery of the Shannon Fishery Company, and fined £5 each, and that, on the same occasion, they were convicted and fined for assaulting one of the servants of the company; whether these fines were reduced by the Irish Executive to the minimum penalty in each case—10s., notwithstanding the protest of the company; if the same men were convicted in 1892 of assaults on the company's water bailiffs, and in 1893 of trespass on the company's property, and if the fines imposed in 1893 were wholly remitted; and if he will state the grounds for the action of the Irish Executive in this case?

MR. J. MORLEY: The question states the facts with substantial accuracy. The mitigation of the penalties referred to in the first and second paragraphs applied only to the fines inflicted for the breach of the Fishery Laws, and did not extend to the fines imposed for the assaults committed on the servants of the Fishery Company. As stated by me in replying to a question by the hon. Member for South Tyrone on the 10th July, 1893, the fines inflicted on the persons named for a breach of the Fishery Laws in the previous April were wholly remitted by the Lords Justices after consultation with the local Justices, who had expressed approval of this course. The Magistrates who convicted at Petty Sessions on the 17th April, for the more recent offence, also recommended a reduc-

tion of the fishery fines to 10s. in each case, and this recommendation, as I have pointed out, was acted upon by the Lord Lieutenant.

THE CASE OF H. J. MACFARLANE.

MR. W. KENNY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he would state under what circumstances and on what ground Mr. H. J. MacFarlane was, in 1886, dismissed from the position of Local Government Board Inspector; if the only foundation for a charge against him was withdrawn; and if there was any reason why he should not have been entitled to a pension on withdrawal from his office?

MR. J. MORLEY: Mr. MacFarlane was removed from the position of Inspector under the Local Government Board in 1886 for grave irregularities on his part in the discharge of his duties and the persistent manner in which he disregarded his instructions. He was treated with the utmost consideration while he was an Inspector, and it was not until his irregular and unsatisfactory conduct reached such a point that his retention in office could not be any longer tolerated without great detriment to the Public Service that his dismissal became necessary. The charges against him were never withdrawn. Mr. MacFarlane had not served the minimum period which would have entitled him to a pension even if the circumstances connected with his removal had been such as to justify the Department in recommending him for one.

THE SOCIAL DEMOCRATS AND THE POLICE.

MR. KEIR-HARDIE (West Ham, S.): I beg to ask the Secretary of State for the Home Department whether he is aware that on Sunday evening last, whilst a small and orderly meeting, for which leave had been obtained, was being held under the auspices of the Kentish Town branch of the Social Democratic Federation, the speaker, Mr. John Yallop, was arrested by the police, and conveyed to the district police station; whether the place is a recognised meeting place for religious and other bodies; and whether he will instruct the police to give the Social Democrats the same freedom in respect to meetings on

this place as is given to religious bodies?

MR. R. G. WEBSTER (St. Pancras, E.): This question affects my constituency, but I confess I do not understand it. I want to ask the Home Secretary whether this is a recognised meeting place for religious and other bodies?

MR. ASQUITH: I do not, I confess, exactly understand the hon. Member's question. With regard to the question on the Paper, I am informed that the Police Reports show that on Sunday evening, the 8th instant, a meeting was held at Heath Street, Hampstead, and was addressed by Mr. Yallop. Complaint was made to a police-constable of annoyance caused, and there was actual obstruction to foot passengers. This was pointed out by the police-constable to Mr. Yallop, who, however, persisted in speaking, and ultimately the police-constable asked Mr. Yallop to accompany him to the police-station to see the Inspector. While on the way to the station the police-constable distinctly told Mr. Yallop that he was not in custody. Small meetings which do not cause actual obstruction are, I am informed, occasionally held at this particular place. It is a well-understood rule, and one to which the police are instructed to conform, that strict impartiality is to be shown in dealing with meetings, religious or otherwise.

THE ROYAL ARSENAL, WOOLWICH.

MR. KEIR-HARDIE: I beg to ask the Secretary of State for War whether he is aware that 84 of the 85 men employed in the fuze department of the Laboratory of the Royal Arsenal, Woolwich, refused to take out their pay lines last week on the score that the rates were unsatisfactory; whether the men have frequently complained to the foreman about their pay without obtaining redress; and whether he will cause inquiry to be made into the circumstances with a view to removing any grounds for dissatisfaction with the rates of pay which may exist?

THE FINANCIAL SECRETARY TO THE WAR OFFICE (Mr. WOODALL, Hanley) (who replied) said: Seventy-six men out of 150 employed on fuze work refused their pay tickets last week, but made no complaints as to their rates of pay or gave any ex-

planation of their action either to their foreman or other authorities. The average rate of pay of these labourers since the introduction of the 48 hour system has been 27s. 8d. per week. On this occasion, owing to slackness of work, the pay fell to 25s. 8d. It will this week again rise to or above the average. Slackness of work must either be met by suspension of men or by their earning less wages.

MR. KEIR-HARDIE: I would ask the hon. Gentleman if it is not the fact that these men went over a month ago to the foreman to complain of the rate of wages, and got no satisfactory reply, in consequence of which they determined to have attention called to the matter?

MR. WOODALL: I am not aware whether that is the fact. I am inquiring into the whole matter, and, of course, if there is any reasonable ground to lead to the belief that there is a grievance, it will receive attention. The figures I have quoted show, at any rate, that the men in the department in question have no substantial ground of complaint.

TENDERS FOR THE NAVY.

MR. C. SHAW (Stafford): I beg to ask the Secretary to the Admiralty whether he is aware that recently, and for the first time, the usual forms of tender for certain hardware stores for the use of the Navy have been accompanied by an official Circular to the effect that all goods tendered for must be wholly produced on the premises of the contractor, and that the wages paid to the workmen must be at the usual average rate paid in the district for adult labour in that class of work; and whether he will undertake that similar notices shall accompany all tender forms in the future in respect to Navy boots?

THE SECRETARY TO THE ADMIRALTY (Sir U. KAY-SHUTTLEWORTH, Lancashire, Clitheroe): In the case of contracts for locks, the Admiralty have found it necessary to guard against evils disclosed by inquiries which they made last year by requiring all the locks to be wholly manufactured upon the premises of the firm tendering. It does not follow that a similar stipulation is necessary in other cases—for example, the case of boots. The greater part of the work on Navy boots is done in factories. But in Northamptonshire and

other districts it has long been the custom to employ outworkers to do a certain portion of the work. Such information as we possess points to the conclusion that the circumstances under which this is done are not unsatisfactory, and are totally different from those which proved objectionable in the lock trade. The Admiralty do not, therefore, propose to issue any notice.

THE CONTRACT FOR METROPOLITAN POLICE BOOTS.

CAPTAIN NORTON (Newington, West): I beg to ask the Secretary of State for the Home Department whether there is any clause in the present contract for Metropolitan Police boots which would prevent the boots from being passed in the same way, and by the same Board, or a Board similar to that which passes the Army boots, instead of by one examiner at a salary of about £150 a year; and, if not, whether he will take steps to have this done until the contract in question expires; and whether, as the conditions of the contract in question is a public document, he will lay it upon the Table of the House?

MR. ASQUITH: No complaints have been received as regards the inefficiency of the present system of examination. It was adopted after very careful consideration, and there are no sufficient reasons for making any change. With regard to the second paragraph, I must defer the final answer, as I am in consultation with other Government Departments on the subject.

THE LUNACY COMMISSIONERS' REPORT.

MR. HARRINGTON (for Dr. KENNY): I beg to ask the Secretary of State for the Home Department, with reference to the directions he gave to the Lunacy Commissioners in 1885 to issue their annual Report earlier in the year, when the Report for 1893 will be laid upon the Table?

MR. ASQUITH: The Report was sent to the House of Lords on the 18th June and presented to Parliament on the 19th June. I am informed that it will be circulated on Saturday.

THE SCOTCH LUNACY BOARD.

MR. HARRINGTON (for Dr. KENNY): I beg to ask the Secretary for

Scotland when the annual Report of the Scotch Lunacy Board will be presented to Parliament?

SIR G. TREVELYAN: I am informed by the General Board of Lunacy for Scotland that their Report will be ready for presentation to Parliament by the end of this month.

THE REPORT ON IRISH LUNATICS.

MR. HARRINGTON (for Dr. KENNY): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland when the annual Report of the Inspectors of Lunatics will be laid upon the Table?

MR. J. MORLEY: I am informed that the Inspectors of Lunatic Asylums are using every effort to complete their annual Report for the year 1893—the greater part of which is in the hands of the printers—and that they expect it will be ready for presentation before the end of the present month.

THE CONGO STATE.

SIR C. W. DILKE: I beg to ask the Under Secretary of State for Foreign Affairs whether Her Majesty's Government have been kept informed by the Government of the Congo State with regard to the nature of the correspondence between the latter Government and that of the French Republic as to the recent Convention between Her Majesty's Government and the Sovereign of the Congo State?

SIR E. GREY: I must ask the hon. Baronet to apply to this question the answer which I gave to another question on Monday—namely, that I am not at present in a position to make any statement with reference to communications with the French Government respecting the Convention.

A JOURNAL FOR AGRICULTURE.

MR. COBB (Warwick, S.E., Rugby): I beg to ask the President of the Board of Agriculture whether he has yet completed the arrangements for the issue by his department of a periodical journal for agriculture on the same lines as the *Board of Trade Journal*?

MR. H. GARDNER: As my hon. Friend is aware, it has for some time past been my desire to make some movement in the direction indicated in his question, and I am happy to say that the Treasury have now placed at my disposal funds

for the purpose. We propose to make the journal a medium for conveying information as to matters of interest in connection with agriculture at home and abroad, the crop prospects in foreign countries, and other particulars obtained from sources of intelligence to which we have access. We shall also include notes on dairying, fruit farming, poultry rearing, and the smaller rural industries, together with short accounts of noxious insects and fungi. Certain statistics as to agricultural production, imports and exports, and prices will also be given. The first part will be issued early in September at the price of 6d.

MR. J. LOWTHER (Kent, Thanet) : Will the right hon. Gentleman state what is the amount of the funds for this proposal ?

MR. H. GARDNER : I am not in a position to state.

MR. GIBSON BOWLES (Lynn Regis) : Who will be the registered proprietor of this journal in case it should be necessary to bring against it actions for libel ?

MR. H. GARDNER : I suppose it will be registered in the same way as the *Board of Trade Journal*.

MR. DODD (Essex, Maldon) : How is it proposed to circulate this journal ? Is it to be circulated among the farmers or the Members of this House ?

MR. H. GARDNER : Exactly in the same way as the *Board of Trade Journal*.

MR. TOMLINSON (Preston) : I should like to ask whether the journal will give information as to the cost of sending agricultural produce to the market ?

MR. H. GARDNER : I cannot give any information upon that point. If the hon. Member will buy the first number he will see for himself.

ALLEGED MISCONDUCT OF OFFICERS

MR. MOLLOY (King's Co., Birr) : I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if his attention has been drawn to the conduct of certain officers in Birr Barracks upon a recent occasion, and the reported attack made by them upon the female servants of another officer ; and what steps have been taken to investigate the charges made ?

Mr. H. Gardner

MR. J. MORLEY : I have received a Report of the alleged occurrences referred to. Seven summonses have been issued in connection with this matter, and the case will be investigated by the Magistrates at Petty Sessions to-morrow.

THE TRANSVAAL VOLKSRAAD.

SIR E. ASHMEAD-BARTLETT (Sheffield, Ecclesall) : I beg to ask the Under Secretary of State for the Colonies whether it is a fact that the Transvaal Volksraad have passed a Bill gravely restricting the right of public meeting, forbidding all outdoor meetings, and giving the police power to attend and disperse by force of arms, on their own responsibility, out-of-door meetings, and any other meeting of more than five persons ; whether the severe penalty of two years' imprisonment and £500 fine is fixed for a breach of this oppressive law ; and, whether Her Majesty's Government propose to protest against this grave infringement of the liberties of British subjects resident in the Transvaal ?

MR. S. BUXTON : We have not yet received any official information on the subject.

THE RE-ADDRESSING OF POST CARDS.

MR. W. WHITELOW (Perth) : I beg to ask the Postmaster General, whether post cards and halfpenny letters are liable to a second charge in cases in which the persons to whom they are addressed have permanently changed their address and have given notice of the change to the local post office with the request that all letters should be delivered at their new address ?

MR. A. MORLEY : By halfpenny letters I understand the hon. Member to mean not letters proper, but circulars and other documents transmissible at the halfpenny rate. On all such postal packets, as well as post-cards, a second charge is levied in every case of re-direction.

A TRADE DISPUTE IN SOUTH WALES.

MR. RANDELL (Glamorgan, Gower) : I beg to ask the Secretary of State for the Home Department whether he is aware that, arising out of a tinplate trade dispute, the workpeople interested held a demonstration at Gorseinon, near Swansea, on the 26th June last, and,

though orderly, were charged and batoned by a small body of police; that many persons who took no part in the proceedings were chased across the common and severely wounded by the police; that in the early morning of the following day some 18 or 20 tinplate workers were resting in a timber yard by permission of the proprietor, and whilst many of them were asleep, were attacked and bludgeoned over and through a barbed wire fencing which encloses the premises, and seriously injured by the police; can he state at whose instance, and by what authority, this attack was made; and whether a full inquiry, at which the injured persons may be represented and heard, will be made into the conduct of the police on the occasions referred to?

MR. ASQUITH: I have received a report from the Chief Constable of Glamorganshire, which traverses most of the statements in the question. I am asking for further information.

CONCILIATION BILLS.

SIR A. ROLLIT (Islington, S.): I beg to ask the President of the Board of Trade whether, having regard to the strong representations made in favour of the Second Reading and reference to a Grand Committee of the Conciliation Bills of the Government and of the London Conciliation Board, it is intended to press them forward, and, if absolutely necessary, to give some time for a Second Reading discussion?

MR. BRYCE: My hon. Friend is well aware that the Government are anxious that these two Bills should be referred to a Grand Committee; and I can assure him that I am very sensible of the strong wish that exists outside this House that the subject should be dealt with in the present Session—as I understand that there is no serious opposition to either Bill in any part of this House. I cannot but hope that the Second Reading of both may be forthwith taken by consent, having regard to the fact that no objection is raised to the principles of the Bills, and that the discussion of their details is a matter eminently fit for a Grand Committee.

THE UNIFICATION OF LONDON.

SIR A. ROLLIT: I beg to ask the President of the Local Government Board whether the Report of the Unifi-

cation of London Government Commission is likely to be laid upon the Table before the end of the Session?

MR. SHAW-LEFEVRE: The answer is "Yes."

SIR A. ROLLIT: I would ask the right hon. Gentleman whether it is the fact that the Report is in print, and only awaits signature?

MR. SHAW-LEFEVRE: That I do not know.

THE OTTAWA INTER-COLONIAL CONGRESS.

SIR A. ROLLIT: I beg to ask the Under Secretary of State for the Colonies whether any authorised Report of the proceedings of the Ottawa Inter-Colonial Congress will be furnished to the Government and to Members of this House, and will the Earl of Jersey's Report to the Government also be printed and circulated?

MR. S. BUXTON: Lord Jersey will in due course make a Report on the subject of his Mission, but until it has been received and considered it is impossible to make any statement in regard to it. It is understood that a shorthand report was taken of the proceedings of the conference, but there has not yet been time for any Papers on the subject to reach England.

MR. J. LOWTHER: Will that Report be circulated?

MR. S. BUXTON: Until we get Lord Jersey's Report we cannot say.

MR. W. JOHNSTON (Belfast, S.): I should like to know whether the Report of the Colonial Conference will be submitted to Members of this House?

MR. S. BUXTON: When we know the nature of that conference, and how far it may have been confidential, I shall be in a better position to answer that question.

THE SALARIES OF THE SCOTTISH LAW OFFICERS.

MR. GRAHAM MURRAY (Bute-shire): I beg to ask the Chancellor of the Exchequer whether, now that he has finished consideration of the terms of remuneration of the English Law Officers, he is in a position without delay to redeem the pledge given by the Secretary for Scotland on 31st May last on behalf of the Government to proceed to the readjustment of the present inadequate salaries of the Scottish Law Officers?

THE CHANCELLOR OF THE EX-CHEQUER (Sir W. HARCOURT, Derby): I have been much occupied lately, but I will now consider the question of the salaries of the Scottish Law Officers, with a view to placing them on a more adequate footing.

COMPOUNDING FOR STAMP DUTY.

MR. T. M. HEALY (Louth, N.): I beg to ask the Chancellor of the Exchequer whether the Inland Revenue have, without assigning any reason, declared that they will not exercise the discretion vested in them by a recent Act to allow Limited Liability Companies to compound for Stamp Duty on transfers by an annual payment, and therefore have refused in every case recently to allow a composition; and has this action been taken on instructions from the Treasury; and, if so, by what authority do the Treasury claim the power to direct a Department not to act on a Statute?

SIR W. HARCOURT: The facts are as stated in the first part of the question. The Board in this matter have exercised the discretion vested absolutely in them by Section 115 of the Stamp Act, 1891. The fact is that experience has shown the Board that it is not expedient that the composition for Stamp Duty authorised by the section referred to should be made with regard to Limited Liability Companies. The Treasury would, if time had permitted, have introduced a clause in an Omnibus Bill to repeal the section authorising agreements for composition in the case of such companies. Pending this, the Board, by virtue, as I have said, of their discretionary power, do practically refuse to allow companies to compound.

MR. T. M. HEALY: The right hon. Gentleman has not answered the second paragraph of the question. What business have the Treasury to meddle in a matter of this kind with another Department which is held by Statute to be in their discretion?

***SIR W. HARCOURT**: The Department naturally consults the Treasury on the subject. The Board of Inland Revenue does now exercise this discretion with regard to allowing composition; but it has been decided to propose, when an opportunity occurs, to repeal the section of the Act authorising this discretion in the case of these

Limited Liability Companies. I had intended to introduce a clause into the Bill I have referred to that effect.

MR. T. M. HEALY: Is it the Treasury which repeals Acts of Parliament or Parliament itself?

SIR W. HARCOURT: The Treasury does not repeal Acts of Parliament at all. The Act of Parliament gives discretion to the Inland Revenue to grant or refuse compensation, and the Inland Revenue have exercised that discretion by refusing, as they have statutory power to do.

THE BELFAST TELEGRAPH OFFICE.

MR. YOUNG (Cavan, E.): I beg to ask the Postmaster General if he is aware that at Belfast lads under 18 years of age are employed as telegraphists in the Telegraph Department at 12s. a week on duties extending to 1.30 a.m., contrary to regulations; and will steps be taken to remedy this state of things?

MR. A. MORLEY: It is the case that five or six of the junior temporary telegraphists now employed in the Belfast Office are engaged on duties which extend to 1.30 a.m. This is not contrary to regulations, but the Postmaster is endeavouring so to re-adjust the duties as to exempt all youths under 18 years of age from attendance after midnight, and it is hoped that this arrangement may be found practicable for the future.

THE BELFAST SCHOOL OF TELEGRAPHY.

MR. YOUNG: I beg to ask the Postmaster General if he is aware that 16 learners attending the School of Telegraphy at Belfast were recently advised to seek employment elsewhere, as there was little or no hope of their obtaining employment in the Telegraph Service; and whether these youths were admitted to the school on the understanding that if they passed their examinations successfully they would receive appointments?

MR. A. MORLEY: It appears on inquiry that employment for four hours a day (the other four hours to be spent in learning telegraphy) was offered to seven out of 16 learners at Belfast, but was only accepted by two. It has not been practicable to find employment for the other nine, and some of them were advised to seek employment elsewhere, but they were informed that they would be

sent for in turn as vacancies occurred. It is not the case that these youths were permitted to learn telegraphy on the understanding that if they passed their examinations successfully they would receive appointments.

ALLEGED SUPPRESSION OF AN IRISH MEETING.

MR. P. J. O'BRIEN (Tipperary, N.): I beg to ask the Chief Secretary to the Lord Lieutenant a question of which I have given him private notice—namely, whether his attention has been called to a paragraph in the *Dublin Daily Independent* of Monday last from a Nenagh correspondent, stating that a public meeting which was to have been held on the previous Sunday at a place six miles from Nenagh for the purpose of denouncing a glaring case of land-grabbing had been suppressed by an order issued the night previous, and that a large body of police prevented the meeting being held; and whether there is any foundation for the report?

MR. J. MORLEY: I have not received my hon. Friend's private communication, but to the best of my belief there is no foundation for the report. I am not quite sure, but I think not.

THE LOCAL VETO BILL.

MR. BROMLEY - DAVENPORT (Cheshire, Macclesfield): I desire to ask the Chancellor of the Exchequer when he intends to move for leave to bring in a Bill to establish local control over the liquor traffic?

SIR W. HARCOURT: Sir, I made a statement on the subject yesterday.

ADJOURNMENT.

PUBLIC BUSINESS (MINISTERIAL STATEMENT).

Sir M. HICKS-BEACH, Member for West Bristol, rose in his place, and asked leave to move the Adjournment of the House for the purpose of discussing a definite matter of urgent public importance—namely, "the statement made yesterday by the Chancellor of the Exchequer as to Public Business during the remainder of the Session;" but the pleasure of the House not having been signified, Mr. Speaker called on those Members who supported the Motion to rise in their places, and not less than 40 Members having accordingly risen:—

*SIR M. HICKS-BEACH said: Sir, I certainly do not intend in any way to apologise for occupying for a short time the attention of the House on this matter in the only way it is possible to call attention to it, because I think there never was an occasion when a subject more urgently demanded discussion than the statement made by the Chancellor of the Exchequer yesterday. What was that statement? I think it was received by the great majority of this House with a feeling of disappointment and surprise, a feeling by no means confined to Members of the ordinary Opposition. I do not mean that many, if any, Members were disappointed by the list of measures which the right hon. Gentleman stated it was the intention of Her Majesty's Government to withdraw, and which have now disappeared from the Order Book. I cannot suppose that the least experienced Member of this House cannot have realised, many weeks before this time, that these measures were nothing more than promises never expected to be fulfilled. Her Majesty's Government, in the most solemn way known to Parliament, inserted in the gracious speech from the Throne, a notice of their intention to ask Parliament to reform completely our system of Parliamentary registration, to adopt their favourite nostrum of one man one Vote, to disestablish and disendow the Churches in Scotland and Wales, to give to the people direct control over the liquor traffic—well-known items from the celebrated Newcastle Programme—bubbles blown to delude votes for other objects, which have now burst and disappeared into space. Sir, I do not know whether any hon. Member of this House regrets the disappearance of these measures, or is disappointed by their fate. For myself, at any rate, I pretend to no such feeling. They never ought to have been proposed or suggested by a responsible Government, and I am glad that they have disappeared. The disappointment to which I allude is of a very different kind. May I, in a couple of sentences, remind the House of the parliamentary history, so far as it affects the House of Commons, of the last two years? This Parliament was called together in the summer of 1892. Her Majesty's Government were not in a hurry—were wisely and properly

not in a hurry—to submit to Parliament any list of the measures which they intended to propose. They delayed to call Parliament together for the work of legislation until the 31st of January, 1893, and since that 31st of January, with the exception, I think, of five weeks last autumn, and a month last winter, this House has been in practically permanent Session without those ordinary reliefs from our labours which have been known in the history of all previous Parliaments. Sir, I believe we are all tired to death of this. I believe that is a feeling which is shared by all of us, from the Leader of the House to the youngest Member among us; and I think I might even appeal to hon. Members who are specially anxious for shortening the hours of labour of the working classes throughout the country whether among them there might not be found some who would most readily admit that the far more arduous and more difficult task of administering and legislating for this great country ought not to be attempted by jaded and wearied men and cannot be successfully conducted except by Ministers and Members of Parliament who, at any rate, for a considerable time during the course of every year, are free from the harassing and engrossing work of this House. The right hon. Gentleman has, I think, himself readily admitted the argument which I venture to put before the House. He has said, if I remember aright, that continuous and continued work is neither good for the House of Commons or for the country. In the whole course of the present year the policy of bringing the Session to a conclusion in a reasonable time has been avowed by the right hon. Gentleman. When on April the 9th, many weeks earlier than I think ever fell to the lot of any former Leader of this House—he invited the House, and successfully invited the House, to give up for Government business Tuesdays and Morning Sittings on Fridays, he then, I am sure, accepted that principle. When, again, on the 31st May he went further and took up the whole time of the House, he again, I think, urged that the concession should be made to him mainly on the ground of his desire that the Session should be brought to a conclusion in a reasonable time. On neither

occasion did the right hon. Gentleman ask for these exceptional facilities to be afforded him because of any unreasonable delay in the progress of business which the Government had brought before the House. On the contrary, he cordially recognised the assistance which he had received from us in carrying through the financial business which had to be completed for the first quarter of the year. He expressly stated at the end of May that he made no complaint against any section of the House, and said that he did not base his request for the whole time of the House on any anticipations of unfair dealing with public business in the future. He admitted that the financial proposals of the Government must take a considerable time, and that they contained large and novel principles which justified and demanded proper examination by the House of Commons. That proper examination they have received. Some hon. Members opposite may consider they have received it at too great a length. If that is their opinion, I would appeal from them to the Chancellor of the Exchequer himself, who never, throughout the Budget Bill, for a moment suggested that he could ask the House to give him any greater powers to facilitate its progress than the Government possessed, and on only one occasion—an occasion which afterwards he practically had to admit was a mistake—attempted to closure the Debate during all the discussions on that Bill. Therefore, Sir, I do not think it will be denied by the right hon. Gentleman that it is necessary that this Session should be brought to an early termination, that he has always held out that as his opinion, and that nothing has occurred during the progress of the Session which in any way justifies a departure from that determination. I think it was, therefore, with both disappointment and surprise that the House heard the statement of the right hon. Gentleman yesterday. What are his premises? The Session is to terminate by the end of August. Very well. What is to be done in the interval of five and a-half weeks between now and the end of August? We are to deal with Supply, the Evicted Tenants' Bill, which has not yet been read a second time, the Equalisation of Rates Bill which is in a similar position, the

Sir M. Hicks-Beach

Report on the Scotch Local Government Bill, and an indefinite discussion on the Miners' Eight Hours Bill, in addition to an uncertain number of measures which the right hon. Gentleman was good enough to think were unopposed, but with regard to some of which, at any rate, I think he will find himself mistaken. That is the programme. In the first place, Sir, I complain that that is not a redemption of the promise made to the House by the right hon. Gentleman with regard to Supply. The right hon. Gentleman, on one occasion, when he obtained from the House facilities for the conduct of Government business, promised us that Supply should be fairly dealt with. I do not for a moment say that the right hon. Gentleman up to this time has not fulfilled that promise. But what is his present intention? Why, he has borrowed it from hon. Gentlemen from Ireland below the Gaugway who, in the terms of a Motion which curiously enough appears on the Paper to-day in the name of the hon. Baronet the Member for Kerry, desire to ask the House to resolve that further proceedings in Committee of Supply, except in case of urgent need of a further Vote on Account, shall be postponed until four Bills have been disposed of by the House. Now, what is the condition of Supply? Fifty-six Votes have been passed; 114 still remain to be discussed. I do not wish to attach undue importance to the number; but the Votes not yet disposed of include the whole of Class II. of the Civil Service Estimates, which hon. Members from Ireland were exceedingly anxious to discuss when we were in Office. They include also the Education Votes and a very large proportion of the Votes for the Navy. Let the House consider what is the nature of discussion on Supply in our present system. It is not merely a criticism of the financial proposals of the Government; it has got far beyond that. The effect of the action of one Government after another in making more and more claims upon the time of the House has been to deprive Members of the House of opportunities which the ordinary rules provided for calling attention to various matters and for criticising the conduct of the Government in the administration of the affairs of the country. The result has been, that on every Vote

which relates to the Department of a responsible Member of the Government we must necessarily and properly have not merely financial criticism, but criticism of most of the administrative action of the Government. This is a privilege to which the House is entitled, which it is right to exercise, and which it is bound to exercise; and any action on the part of the Government which deprives us of the full extent of that privilege is action against the true interests of the country.

SIR W. HARCOURT: Hear, hear.

*SIR M. HICKS-BEACH: The right hon. Gentleman cheers that sentiment; but what does the right hon. Gentleman do? He postpones until the four Bills have passed through this House any opportunity of carrying his own principles into effect. What are those Bills? Take the Evicted Tenants Bill. Whatever the merits of that Bill may be, I think it will be universally admitted it is a Bill on which there is a very wide difference of opinion between the two great forces that are always contending in Ireland; it is a Bill which, however well intentioned on the part of the Secretary for Ireland, as far as we can judge from the Debate on its introduction, does not absolutely satisfy any party among the Irish Representatives. It may be none the worse Bill for that, but the inevitable result will be that it will require lengthened discussion. Can one who remembers our Debates on Irish questions suppose that this Bill is likely to be passed through the Second Reading, the Committee, the Report stage, and the Third Reading in three or four days of the time of the House? Why, Sir, the idea is absurd. I now come to the Equalisation of Rates Bill. It is a Bill earnestly desired by the hon. Member for Shoreditch and those who follow his lead in dealing with the municipal affairs of London. But it is also strongly opposed by some powerful forces in the Metropolis; and it contains principles which may be applicable to all the rest of the country, and will, therefore, demand very careful examination on the part of all interested in such matters, whether their interests are in London or in the country. This, therefore, is not a Bill to be passed in a couple of days. With regard to the Local Government for Scotland Bill, the Government wasted days and days of the time

of the Session in carrying through that wonderful Scotch Committee. So far as I have seen, the result has been to place the Secretary for Scotland perpetually in hot water. He has had to give up, I am told, a very large portion of that Bill, and it will come down to the House maimed and shorn of proposals which the Government thought necessary; but it will also come down in the form to which it has been reduced by a Committee the majority of whom hold views on public affairs at variance with those held by the Opposition in this House, and it will therefore demand, even although it relates to Scotland only, fair and reasonable discussion on the Report stage, which, indeed, we were promised when the Committee was appointed. I come now to the Miners' Eight Hours Bill. I do not think anyone knows what is the position of that Bill; it is between heaven and earth, if not between heaven and a worse place. I gather from the Chancellor of the Exchequer that his desire is to give the House in Committee an opportunity of expressing its judgment upon the Bill. What that meant he was asked by the hon. Members for Luce and Durham, who take opposite views on the merits of the Bill, and he gave them, I venture to say, no satisfactory answer at all. If it is the intention of the right hon. Gentleman to do no more than give the House the opportunity of doing what it has done already on the Second Reading of the Bill, what is the good of wasting the time of the House in the month of August, as it has been wasted in previous months by Debates on the Welsh Church Bill and the Registration Bill, which everybody knew would never be proceeded with, on further Debates on a Bill introduced by a private Member? I do not know why Her Majesty's Government are granting this exceptional favour to the Miners' Eight Hours Bill, for it is not a Bill as to which they were pledged as a Government; it is no part of the Newcastle Programme; it has supporters and opponents on both sides of the House, and among its strongest opponents are some of the best of our labouring population. It has not arrived at as forward a stage in the proceedings of the House as another Bill, the Church Patronage Bill, to which Her Majesty's Government might much more usefully devote any spare time. I contend there is no justifi-

cation for their taking this Miners' Eight Hours Bill out of the ruck of private Bills and asking the House to consider it in the month of August, with no real intention of passing it. So much for the four Bills. I now come to Supply. How long does the House consider the discussion of the remaining 114 Votes might be expected to occupy, many of them being important Votes which the Government cannot deny the House ought to have the fullest opportunity of discussing? I have here a statement which shows the time that has been taken up by Supply during the last seven years. I will not suggest that we are entitled to expect that the same amount of time should be devoted to Supply this year which was given to it, mainly through the eloquence of the friends of the right hon. Gentleman, when we were in Office in 1889. In that year 45 days were occupied by Supply, and if you deduct the 18 days that have been given to it this Session, there is a margin of 27 days which at this rate would still be required for Supply. I will take the average of the last seven years, and will include in it the year 1892, in which Supply was accelerated by the approach of the General Election and lasted 20 days; and I find the average for the seven years to be 35 days. On that average we ought to give 17 more days to Supply this Session. If we were to commence on Monday next and take all Parliamentary time, Supply would take us up to the 19th of August. The suggestion is that we should rise by the end of August; and that means that the four Bills must be passed in a fortnight. Why, Sir, the proposition is absurd. Such a suggestion with regard to the conduct of our business I venture to say was never made by a responsible Minister. Coupling the date at which the right hon. Gentleman suggests our labours are to terminate with the work he has suggested to be done, he cannot believe in his own proposal. I would hope that the right hon. Gentleman will take warning from the laughter with which his suggestion was received, and which was by no means confined to the Opposition Benches. I hope the night's reflection has convinced him that he is attempting to put on the House work which cannot properly be performed in the time he desires to

devote to it. I hope he will realise that in what he is proposing to do he is not fulfilling his promise to give a fair amount of time to Supply. He is anxious, no doubt, to save something from the wreck of promises in the Queen's Speech; but he will defeat his own object if he attempts, towards the end of July, to force the House of Commons to do work which it cannot possibly perform.

Motion made, and Question proposed, "That this House do now adjourn."—
(*Sir M. Hicks-Beach.*)

SIR W. HARCOURT: The right hon. Gentleman began by speaking of disappointment and surprise, and then proceeded to say, in the most solemn manner, that measures had been put into the Queen's Speech which it was found at the end of the Session could not be gone on with. That is a matter of surprise to the right hon. Gentleman.

SIR M. HICKS-BEACH: I did not say that.

SIR W. HARCOURT: Well, the right hon. Gentleman spoke of those measures, and said they ought never to have been put into the Queen's Speech. That is the opinion of every Opposition in regard to the measures proposed by the responsible Government of the day. The right hon. Gentleman must excuse us for holding a different opinion on the subject of our measures from that which he entertains. For how many years was the promise unfulfilled by the late Government to follow up by a Parish Councils Bill their County Councils Bill?

MR. T. W. RUSSELL (Tyrone, S.): Who stopped it?

SIR W. HARCOURT: Year after year that promised was renewed, and it never was fulfilled. The right hon. Gentleman went on to say that I had held out the expectation that the Session should be concluded within a reasonable period. I did hold out that expectation, and the proposals I made are perfectly conformable with that statement. I will now proceed, if the House will allow me, to make good that assertion. The right hon. Gentleman has referred to the question of Supply. He has put forth figures which, in my opinion, are absolutely unfounded, and which I will now proceed to refute. I agree with the right hon. Gentleman, and I have always maintained that Supply

affords a proper opportunity for challenging the action of the Government. We have now given to regular Supply this Session 16 days. In 1891, when we were in opposition, the days given to Supply were 26. Therefore, if 10 days more are given by us to regular Supply, that will be equal to the time given in 1891 by the right hon. Gentleman and his Colleagues. That is the first refutation of the right hon. Gentleman's figures. In 1892 there were, owing to exceptional circumstances, 15 days only given to Supply. In 1893 there were 29 days given to Supply, the average of those three years being 24 days. [*Opposition laughter.*] What is there inaccurate in that?

SIR M. HICKS-BEACH: I took the fat as well as the lean years.

SIR W. HARCOURT: If the right hon. Gentleman objects to the year 1892, I will take the years 1891 and 1893, and then you will have 26 days in one year and 29 in the other, which will give an average of $27\frac{1}{2}$ days for each year—and that is against the 16 days that have already been given this Session to Supply. There have already been given to the Army and Navy Estimates a larger number of days in Supply than have ever been given to them before. Therefore, I say that if 10 or 11 days—which may be considered as a Parliamentary fortnight—be further given to Supply we would be giving as much time as was given on the average during the last year of the late Government and the first year of the present Government.

MR. JESSE COLLINGS (Birmingham, Bordesley): What nonsense this is!

SIR W. HARCOURT: The right hon. Gentleman says, "What nonsense this is." I hope he will be courteous. It does not, however, depend upon the opinion or upon the good manners of the right hon. Member for Bordesley what the facts are which I have given upon the authority of the right hon. Gentleman the Secretary for India. You say that the time given to the Estimates is not sufficient; but, if that be the case, take more time. That is a matter for the House of Commons itself to determine. The House can take what time it likes in reference to that subject. I admit that there remain Votes in Supply which ought to be fully discussed. But,

take for Supply as many days as you have taken before, and you will find that you will not exceed the time which I have allotted to it. The right hon. Gentleman objects to the Evicted Tenants Bill. He is going to oppose it, as is natural; and I do not complain of that. But for how many days are you going to oppose it?

Mr. CARSON (Dublin University): For a month.

SIR W. HARCOURT: A month! I thank the hon. Gentleman for that word. He has let the cat out of the bag. I will thank the hon. Gentleman for an answer to another question. How long are you going to take over the Equalisation of Rates Bill—another month? [*Cries of "Two months!"*] This appears like putting up to auction the public time of this country. As to the Local Government (Scotland) Bill the right hon. Gentleman comes from Bristol to tell us what the views of the Scotch Members are with reference to that Bill, but I would rather take the opinion of the Leader of the Opposition on the subject, who told us yesterday that it would take a day or two. I venture to say that that right hon. Gentleman knows as much about the matter as the right hon. Member for Bristol. Therefore, if you take a fortnight for Supply and give a day or two for the Scotch Local Government Bill the only question is how long you are going to take over the Evicted Tenants Bill and the Equalisation of Rates Bill. That is really the whole question. It has been suggested in the newspapers that I said—if I said so I must have expressed myself very inaccurately—that it was not until we got through the non-controversial Bills that we should get to Supply. I never intended to say anything of the sort. If those Bills in the third category are non-controversial measures you may carry them *pari passu* with Supply. The right hon. Gentleman said that we ought not to have given time for the discussion of the Eight Hours Bill, because that is a Bill which the Government have not taken up as their own, and which they have not undertaken to pass. I would call his attention to a remarkable similar circumstance which took place in 1873. In 1873 my right hon. Friend the Member for Sheffield, who was not at that time a Member of the Government, had

on the Paper a Bill for the restriction of the hours of labour in factories. It was a Nine Hours Bill. It was put down on July 30th by the then Government, and the right hon. Member for Midlothian gave it precedence. Mr. Collings asked whether it was a proper proceeding on the part of the Government to take a Bill of that kind out of its order, and put it down for discussion; and whether that proceeding was in accordance with the Resolution which had just been passed giving precedence to Government business. The Speaker replied that the proper construction of the Standing Order was that the Government had power to place, not only their own Orders, but the Orders of private Members according to their own pleasure. Mr. Hunt then asked whether the Bill referred to had been adopted by the Government, and Mr. Gladstone said it did not follow that because the Bill had been placed No. 4 on the Paper that therefore the Government were going to support it or make it a Government measure.—

"In the case of a Motion of Want of Confidence in the Government"—

continued the right hon. Gentleman the Member for Midlothian—

"to which the Government gave precedence, could it be said that by that proceeding on their part they had adopted the Motion. That was simply absurd; and, accordingly, the Bill was put down by the Government in order that it might be discussed."

Therefore, in taking the course we are taking in regard to the Miners' Eight Hours Bill, we are taking no unusual, no unprecedented, and no improper course at all, but one that has been thoroughly sanctioned by Parliamentary procedure. Of course, the right hon. Gentleman is entitled to his opinion; but so am I entitled to mine, and I maintain that in the five or six weeks available before the end of August it is perfectly possible to give the average amount of time to Supply and to deal fairly with the measures to which I have referred. It is perfectly possible to give an average amount of time to Supply, and if the House of Commons intends to deal fairly with these measures there is plenty of time to deal with them consistently with giving that period to Supply. There is, in my opinion, a very important question involved in this. What

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Gentlemen opposite want is that this Session shall close without our doing anything more than has already been done, and I think the sooner the House of Commons comes to an understanding upon this point the better. The point is whether it is to be regarded as a legitimate weapon of opposition to injure the Government by paralysing the House of Commons. That is the real question we have to deal with, and I would venture to say that gentlemen opposite are as much interested in that question as gentlemen on this Bench. I suppose that in some dim and distant future gentlemen opposite cherish the hope that they may one day occupy these Benches. When they do they will be sorry if they give their sanction to the policy upon which the speech to which we have just listened is founded. The object of that speech, and the object of that policy obviously is to injure the Government by endeavouring to introduce such delays that the House of Commons shall do as little as possible, not in regard to measures of a highly contentious political character, but even with regard to questions which are wholly or partly controversial—their whole object being that it shall be possible when the Session is closed for the Opposition to go to the country and say that the House of Commons has done nothing. That is a question which is outside Parties, and which, in my opinion, ought to be above Parties. I think that the object of hon. Gentlemen should be exactly the opposite—that while we fight here as hard as we can on the great political issues which divide us, and always must divide both sides of the House—consistently with that, we should endeavour in this great Assembly to transact as much useful business for the advantage of the country as we can possibly do. Therefore, I say, if consistently with those interests it is still possible for us to pass a number of really substantially non-controversial Bills we ought to do so for the advantage of the country and for the credit of the House of Commons. Now, as regards those Bills which we have really left to the determination of the Opposition in the House of Commons, I said the other day that I believe those Bills to be useful Bills. I believe it would be a great advantage to the country that these Bills should be passed. I understand that it is

argued by hon. Gentlemen opposite that these Bills are of so controversial a character that we cannot pass them without a considerable amount of discussion. Then, as I said yesterday, these Bills will not be proceeded with. On the other hand, I say that if the House of Commons is prepared to deal honestly and fairly with these Bills they can pass, leaving 10 days for Supply, making up the amount of time given in former years to Supply. I shall be surprised if the Leader of the Opposition gets up and says that the character of the opposition is such that it will take many days to pass these Bills—the Evicted Tenants Bill and the Equalisation of Rates Bill. I do not believe it will take many days. I believe a great many gentlemen who represent the Metropolis, and who sit behind the right hon. Gentleman, are supporters of the Equalisation of Rates Bill; therefore, it is only natural to suppose that two or three days will suffice for it. I am certain that unless there is some intention unduly to prolong the Debate the Local Government for Scotland Bill will also take a very short time—a day or two.

MR. A. J. BALFOUR: The right hon. Gentleman has misunderstood my statement with regard to that Bill. He has led the House to suppose that I suggested that all the subsequent stages of the Bill could be disposed of in a day or two. I said that not more than a day or two would be required on the Report stage.

SIR W. HARCOURT: I should like to ask the right hon. Gentleman, not as a Scotch Member, but as a Scotchman, whether, if it had been two or three days under discussion on Report, there is a single Scotch Member who would reject the Bill on the Third Reading? The right hon. Gentleman may have changed his opinion since yesterday, but I venture to say that the whole of the Scotch Members desire for the sake of their country that this Bill should pass, and pass without delay. All depends upon whether you intend and whether you will succeed in spending a month—which is the period the hon. and learned Gentleman opposite claimed—on the Evicted Tenants Bill. In my opinion it would be a most improper and unjustifiable proceeding to spend a whole month of Parliamentary time in that way. That

the Bill should be fully and adequately discussed I admit; but to spend a month on it would be indefensible, and I believe the majority of the House of Commons and the great majority of the country would disapprove of any such proceeding. That, of course, remains to be seen. So far as the Government are concerned, we think we have made no unreasonable demands upon the House of Commons, and it will be for the House of Commons to say hereafter whether they will support the Government in these demands. I will only repeat that, from what consideration I have been able to give to the matter, I think that with a fair and reasonable allowance of time for each of these measures and to Supply we may fairly hope and expect that the Prorogation will take place in the month of August.

MR. J. CHAMBERLAIN (Birmingham, W.): I do not know how many more speeches the Chancellor of the Exchequer means to make, but I observe they proceed on the *crecendo* scale, and that each successive one is more than the last in the nature of an appeal to the electorate. The right hon. Gentleman began to-day in an extremely moderate fashion. It is true he protested against the taunts addressed to him and the Government that they have introduced more Bills in the Queen's Speech than they have been able to carry, and he said that had been the case with previous Governments; but that is not the gist of the accusation which has been brought against the Government. What we complain of is not they that have introduced more Bills in number than they were likely to be able to carry, but that they introduced such Bills that they could not have believed there was the slightest chance that they could carry. The Chancellor of the Exchequer said that it is an extraordinary doctrine that anyone should endeavour to injure the Government by preventing them doing anything in the House of Commons. No such doctrine has been advanced. I entirely repudiate any such doctrine. It has never been advanced by any Member of the Opposition. It is an equally reprehensible doctrine that the Government should go on piling Bill after Bill into a programme merely for the purpose of diverting and deceiving public opinion. Let us take the matter from the reason-

able standpoint of the Chancellor of the Exchequer. He adheres to his previous statement that there is plenty of time between now and the end of August for the House of Commons to accomplish the work he has laid before it. How much time have we? We have 32 days of Government time up to the 31st of August, including to-day, and in those 32 days we have to accomplish the list of work the right hon. Gentleman has put before us. The Chancellor of the Exchequer refuses to allow that Supply should take more time than in average years. Let me point out that there is good reason why Supply should take longer time this year than in other years. The reason is that the Government took the whole time of the House earlier this year than they ever did before, and the only opportunity left to us to question the administration and policy of the Government on a heap of miscellaneous questions is on Supply. That is the only opportunity private Members have. This year private Members have been deprived of almost every other opportunity of raising questions of importance. Accordingly it would be perfectly reasonable for us to contend that the time to be taken for discussions in Supply should be more liberally allotted to us than it has ever been before. But I am going to take the Chancellor of the Exchequer where I can, on his own argument. He is gracious enough to say that we may have 11 days, which is the average of the last three years, including the year of the General Election.

SIR W. HARCOURT: No, if you included that, there would only be eight days.

MR. J. CHAMBERLAIN: I am much obliged. Then I suppose we may take it that there are 12 days for Supply. Well, 12 days from 32 leaves 20 days. Then there is the Indian Budget. Will the Chancellor of the Exchequer tell us what time should be given this year to the discussion of the finances of India? Will he give us less than two days? Very well, then, there are two days necessary for the Indian Budget, and two more days for the Vote on Account and the Report. That makes four days, leaving 16. Now, there are no less than nine Bills which the Chancellor of the Exchequer has called non-controversial measures. I admit that they are non-

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controversial measures, although they include such important questions as the attendance at elementary schools, building societies, railway and canal traffic, and conciliation in labour disputes. Will the Chancellor of the Exchequer tell us that it is the duty of the House to pass Bills of this kind without some reasonable chance of discussion? All these Bills are in their infancy and will have to be passed through their three or four stages. I will undertake to say that with these nine Bills there are no less than 20 stages to be gone through.

SIR W. HARCOURT: Are you going to oppose them all?

MR. J. CHAMBERLAIN: That is not the point. So far as I am concerned, I am certainly not going to oppose any one of these Bills, because, so far as the principle of these Bills is concerned, I approve of them. I think the Chancellor of the Exchequer was justified in saying that they were what are ordinarily called non-controversial Bills; but does he mean to tell the Labour Party in this House, for instance, that, because these are non-controversial Bills, a Bill so important as one to establish Boards of Conciliation is to pass through the House after 10 minutes' discussion, because, forsooth, the Chancellor of the Exchequer is bound by a contract with the Irish Members to give an indefinite time to the Evicted Tenants Bill? No, Sir; this question is not disposed of by an interruption of the Chancellor of the Exchequer asking me whether I am going to oppose these Bills. I am not going to oppose them, but I claim that when we have to deal with nine Bills having 20 stages we cannot possibly get through them without allowing—what will the most moderate man in the House say is the least time that can be properly given to these nine Bills?—I take it five days for the whole nine Bills, four or five of which are of the very utmost importance, although they are non-controversial. Taking, therefore, five days from the 16, that gives me 11 days. Then there is the Local Government for Scotland Bill, for which the Chancellor of the Exchequer gives me three days.

SIR W. HARCOURT: No, no.

MR. J. CHAMBERLAIN: The Chancellor of the Exchequer said it was not reasonable to ask for more than one or two upon a Bill which has been hotly contested in the Grand Committee, and

which has occupied 14 sittings of the Committee. Is it reasonable to say that a Bill of this kind is likely to pass the Report and Third Reading stages in less than three days?

SIR W. HARCOURT: Oh.

MR. J. CHAMBERLAIN: Well, I want to carry the Chancellor of the Exchequer with me. I will say two days if he likes, and that will leave me with only a balance of nine days. Then how much is to be given to the Equalisation of Rates Bill, which has not even passed its Second Reading? It has four stages to go through, and, although it is not in one sense a Bill which necessarily divides us according to Party lines, it is a Bill for all that which proposes to alter the whole finance of London and to transfer property in the shape of rates from 28 districts to 42 districts. Is it possible that the 28 districts whose property is going to be taken away and given to the 42 districts will not have something to say on the subject? I think I should be very moderate indeed if I put the whole four stages down as likely to occupy six days. [*Cries of "Oh!"*] Then how much will the Chancellor of the Exchequer give me? Will he say four days?

SIR W. HARCOURT: That depends upon how much support is given by the Opposition.

MR. J. CHAMBERLAIN: What a perfectly irrelevant interruption from a usually relevant man. I am not going to take any part in the discussion myself. It does not especially interest me. If the right hon. Gentleman thinks four days too much—I wish to come to an agreement with him—I will reduce it to three days. The result of that will be that we shall have only six days left in which we shall have to deal with the Evicted Tenants Bill and the Eight Hours Bill. So far as the Eight Hours Bill is concerned—I am sorry I do not see the Member for Durham in his place—the Chancellor of the Exchequer has entirely misapprehended our position. I, for one, do not complain of the Government adopting or not adopting this measure. All we ask is to what extent are they going to give it their patronage, and to what extent have they agreed to give facilities for the Bill? We want to know whether these facilities are to extend to the whole of the Committee

stage, and we have been totally unable to extract a definite answer from the Chancellor of the Exchequer. Supposing it is not to extend to the whole of the Committee stage, then this House is going to be asked to stultify itself by wasting precious time at the end of August in discussing a Bill which the Government themselves do not mean to proceed with. We are expected, for the pleasure of enabling the Government to satisfy some mysterious and secret pledges which they have given to certain Members of the Labour Party, to discuss a Bill which, under the circumstances, is a mere make-believe. If, on the other hand, the Government mean to give facilities for the full discussion of this Bill, then I say, Sir, it is perfectly absurd to suppose that a Bill of that kind, affecting as it does one of the largest industries in the country, and deeply affecting it, and upon which there is a division of opinion extending to both sides of the House, can fully and fairly be discussed in less than the whole of the remaining time of the Session, and that will leave absolutely no time at all for the Evicted Tenants Bill. The Chancellor of the Exchequer said it would be monstrous if we took a month for the Evicted Tenants Bill. But the Evicted Tenants Bill is a new Land Bill for Ireland, introducing into that much distressed country—for I cannot say how many number of times—another and new system of legislation, and with it new principles of legislation, interfering with, and necessarily upsetting existing legislation, and destroying the principle upon which the present Land Purchase Acts are based. Do not let us diminish the importance of the measure. I do not know whether 20 days is a fair time to take for it, or whether it could be discussed in less time; but, at all events, it is perfectly evident that a matter raising such very important questions will require a very large amount of time. What I ask the House to see is that the Government have not left it any time at all; or, to put it another way, if they give the time to the Evicted Tenants Bill that it will require, then undoubtedly those other Bills must be crushed out of existence. Unless, indeed, we are to adopt another theory which seems to find favour, I do not say with the Chancellor of the Exchequer, but with the organs of the Government,

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and that is that this House is to be penalised, and that, like an able-bodied prisoner who, with a certain task set him, is not allowed to go to rest until he has accomplished his stint of work, we are to be kept at work until we have accomplished the task set the House by the Government. I believe there are some Members who would support that view. It is a view which is certainly extremely convenient for the present Government and for all who expect to be in future Governments. This is to make a Government, which may be only representative of a very small majority in this House—a majority of one is as good as a majority of 20 for all practicable purposes—absolutely masters not only of the time of the House, but of the business of the House. And a Government, however unreasonable it may be, may fix the labours of the House of Commons at the beginning of a Session and keep it sitting until it has finished all its work. If hon. Members support that view, then under the circumstances the only complaint I have to make of the Chancellor of the Exchequer is as to his extreme moderation. Why, under the circumstances, does he withdraw the Welsh Disestablishment Bill? There is plenty of time if you are to sit through August, and if you think you can bully the Opposition into passing these measures before you prorogue why not include the Local Veto Bill? I see the hon. Member for Carlisle in his place, and I should like to call his attention to this fact—that the Local Veto Bill is everywhere popular. It is not merely the hon. Baronet and his friends on this side of the House who wish to see it passed, but the Opposition and the Liberal Unionists are burning to see it passed. If my hon. Friend will get up a Petition to the Chancellor of the Exchequer to introduce it I believe nine-tenths of the House will sign it. What are the grounds upon which we are asked to sit until we have accomplished the work provided for us? Have we injured the Government by undue or deliberate obstruction? If so, why does not the Chancellor of the Exchequer say so? As Leader of the House, as promoter of the Budget Bill, he was more interested than anyone in the conduct of the Bill. Why does he not call attention to illegitimate obstruction? I

will state the reason for the information of the gentlemen who cheered just now, not one of whom, I venture to say, attended the Budget Debates. The reason is that, unless the Government had themselves accepted or proposed something like 200 Amendments to this Bill—for they recognise that the discussion was useful and advantageous, and has led to the improvement of the Bill—it would have been a worse Bill even than it is now, and the country would have suffered but for this legitimate discussion. Under these circumstances it is absurd to accuse us of obstruction. There is a general answer to that which I would quote from the words of the right hon. Member for Midlothian. Since I have been in the House of Commons, I admit that every Government in turn has accused the Opposition of obstruction. Opposition to the Government always appears like obstruction, and I think great credit is due to the Chancellor of the Exchequer for not having adopted that hackneyed cry. What did the right hon. Member for Midlothian say in 1890 when a similar accusation was made against the then Opposition which he was leading. He said—

“Of course, it is just as easy for us to go about the country and say this charge of obstruction is an impudent imposture;”

—this is for the gentlemen who cheered just now—

“there is no foundation for it at all. It is the miserable device of men who resort to it because every rag of every other pretext has been stripped from their backs, and, in the absence of any decent clothing in which to present themselves to the world, they have concocted and weaved together this miserable clout of obstruction.”

I venture to say that a misapprehension exists in the country to some extent as to what the Government is entitled to expect from the House of Commons during a single Session. The Chancellor of the Exchequer says that it is the object of the Opposition to go to the country and to say that the Government have only carried one Bill. If that were the only accusation we had to make against the Government, it would be a poor thing upon which to rest our claim to the support of the country. In the first place, let us consider what Bill it is that the Government will have carried. The Bill of the Government was really three distinct Bills. It was an ordinary

Budget Bill in the first place; it was a Bill for the equalisation of the duties upon personal and real property in the second place; and it was a Bill, introducing for the first time the great principle of graduation in our national and Imperial finance. To all intents and purposes, therefore, there were three equally independent and important principles, every one of which required a very considerable amount of discussion, and they might very well have formed the basis of three great Bills. The Government, in carrying them under cover of one Bill, which they called a Finance Bill, have practically carried three Bills through the House of Commons. My second point is this: that the actual Session only began on March 12, and it has been a short Session; but if you take the real Session you will find that it has included the Employers' Liability Bill and the Parish Councils Bill, which were passed at all events through the House of Commons. Is that a good record for the House of Commons to make in a single Session to carry three such Bills as the Budget Bill, the Employers' Liability Bill, and the Parish Councils Bill? I do not think in the history of our legislation for the last 20 years you can find any Parliament in which more has been done—that is, as to the importance of the Bills which have been passed. It is a matter of fact. Let us take the time when there was no obstruction at all—at least when obstruction was not heard of, at all events, in its present developed form. Of course, obstruction, as we know it, was developed and perfected by Mr. Parnell and the group of Members who followed his leadership. Until the advent of Mr. Parnell as a great political force obstruction was, comparatively speaking, unknown. I take, therefore, the time before Mr. Parnell introduced this novel weapon of political warfare. In 1869 I find two great Bills were passed in the Session—the Irish Church Bill and the Endowed Schools Bill. Next year there were the Land Act and the Education Act; next year Army Purchase and University Tests; next year the Ballot Act and the Licensing Act; and in 1873 there was only one Bill, the Supreme Court of Judicature Act. Now, I say again, in these circumstances, this Session of Parliament has done more legislative

work as far as I know, or at least has done as much legislative work, as any Parliament which has sat for 20 years. Hon. Members cheer that statement. I hope that they will not go back from that cheer. If that is so, then with what face do you accuse us of obstruction? With what face do you pretend to have a right to keep us here until October, when you admit that you have done as important work as may fairly be expected from any Parliamentary Session? You may say that this Parliament has done as much as was accomplished through all the eventful years of 1869 to 1874. It is perfectly monstrous to contend in such circumstances that we should be forced to sit longer in order to do more work. The last point to which I wish to call attention is this. If it be agreed that we are to do more work, at least I think the House has a right to express an opinion as to the work it should be called upon to do. Allowing that we have 32 days at our disposal, surely it is worth while to consider whether the best use is going to be made of that time. I want to ask the House what principle has presided over the selection of the measures which we are now called upon to consider? I think we shall find a clear and definite principle running through this selection. It is entirely devised to satisfy, in the first place, the largest number of votes, and, in the second place, the greatest amount of importunity. I think I shall show that. Everyone knows that the Liberal Party is divided into sections. The most important section is the Irish section, with 70 votes, and I am sure I shall not be considered offensive if I say that they are also the most importunate section. Accordingly, they come off best. They are to have all the time required to pass all the stages of an important Bill like the Evicted Tenants Bill. But, not only that, we have heard through the usual channels of information that they are also to have the first place next Session for another Irish Bill *pari passu* with the Welsh Members. That is the position of the Irish Members. Then come the Welsh Members with 30 votes; and I judge that as they have only half as many votes as the Irish, they are only half as importunate. Accordingly, all they can get is the promise for first place next Session, when they are to run in double harness with the Irish Members;

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and I fancy they are easily satisfied. I think I know which of that team will do the most of the work. Then we come to the London Members who support the Government. They number about 20, and they are entitled to a smaller Bill than either the Welsh or the Irish. Accordingly, they are let off with the Equalisation of Rates Bill, which is put in the third place. Then there are the Labour Members, who have the dubious promise of doubtful, not well-explained, and defined, facilities for the Eight Hours Bill of which a majority of them are in favour. Then I come to another class, in which I take a considerable amount of interest, though they represent a small section in this House—the crofter interest. Inasmuch as they have only two Members, they are told that they may have their Bill if it is entirely unopposed. Now I come back to my hon. Friend the Member for Cocker-mouth. What is the position of the great Temperance Party? I do not dare to give any guess as to the number of that Party. I have said that those who favour the introduction of the Bill will be found to constitute a large portion of the House, but the number of the actual followers of my hon. Friend I would not venture to indicate. [Mr. T. M. HEALY: Russell.] I have no doubt there are many equally influential Members who follow my hon. Friend; but I ask them to consider what they have got, and I couple that with the question, “What did they expect to get?” Nothing? Oh, no. My hon. Friend does himself an injustice. Here is what my hon. Friend said on July 8, 1893, now more than 12 months ago. No doubt he was in presence of a certain uneasiness in a section of the Party, and in order to raise their spirits and encourage them in the good work, he wrote a letter to “Dear Mr. White,” the Secretary, I believe, of the United Kingdom Alliance—

“I do not wonder,” wrote my hon. Friend, “at your being a little anxious when you see so many political prophets forecasting the course of Public Business and studiously avoiding any mention of the Government’s Liquor Traffic (Control) Bill; but I do not think you need be much troubled on that account. It is evident now that after the Irish Bill has been got out of the House of Commons we shall have an Autumn Session to forward the measures promised in the Queen’s Speech. Surely you need not be under the apprehension that the Liquor Traffic (Control) Bill will be suddenly dropped out of the list.”

Then my hon. Friend went on to give his reasons to these doubting friends. He said—

"Remember also how gallantly Sir William Harcourt, who takes charge of the Bill, has nailed his colours to the mast. There is not the slightest evidence that the Government have any disposition to play fast and loose with the Bill, but they could not do so even if they had such a disposition. Lord Rosebery has declared that the temperance men are the backbone of the Liberal Party. Is it possible to suppose that the Government, having finally estranged the great drink monopoly by introducing the Bill, will straightway proceed to alienate the Temperance Party by withdrawing it? It is difficult enough for a Government to get on nowadays when supported by one Party, but when it is supported by neither Party it is easy to see what will become of it. Our friends need have no fear. Our position is growing stronger every day."

The Autumn Session came and passed, and the Liquor Traffic (Control) Bill did not come with it; and now, 12 months after that letter was written, this Bill is actually withdrawn. My hon. Friend prophesied on grounds, no doubt, which justified prediction at the time. He declared that the Bill would not be withdrawn, and indicated if it were that the Temperance Party, who are the backbone of the Liberal Party, would withdraw their support from the Government. I have no doubt my hon. Friend meant what he said at the time, and I wait to hear what he means now. In any case I have no doubt the Government and the Chancellor of the Exchequer have rightly gauged his threats, and they have concluded that, on the whole, of all the sections of the House to whom they are obliged to look, the temperance section is the one which they can neglect with the most absolute safety. I can only congratulate the Government on the success of their strategy and on the docility of their followers. I believe Sir Robert Walpole said that every man had his price, and that the height of statesmanship was to know how to buy men cheap. If Sir Robert Walpole were alive now he would, I think, be lost in admiration of the Chancellor of the Exchequer, who buys his Party so cheaply that they take his promissory notes as if they had some real and substantial value.

Mr. GERALD BALFOUR (Leeds, Central) said, he was surprised that no one had risen to answer the last speech—or, rather, he was not surprised, for the

simple reason that the speech was unanswerable. It proved that the Session would be extended far beyond the end of August, or else that it would be necessary to have a fresh slaughter of the innocents. As to the Eight Hours (Miners) Bill, the right hon. Gentleman said that in giving facilities to this measure he was taking no unusual or unprecedented course. It was possible that the course was not entirely unprecedented, though the right hon. Gentleman had to go back 20 years for a precedent, but it was very unusual. He was not aware of the circumstances which accompanied the occurrence to which the right hon. Gentleman alluded.

SIR W. HARCOURT: There are a good many other precedents.

Mr. GERALD BALFOUR said, the right hon. Gentleman only quoted one, and he must repeat that even if the Government's action was not unprecedented, it was very unusual. The Bill was not a Government measure, nor was it supported by all the Members of the Government. It was of a highly controversial character, and had a considerable number of opponents on both sides of the House. Yet it was selected for discussion at the expense of other Bills which were originally included in the Government Programme. The Government would not state what were the facilities which they promised; and it might be assumed, therefore, that a certain number of days were to be given to the Committee stage, and that if the Bill were not through then it would be dropped and no further facilities would be allowed for it. What were the Chancellor of the Exchequer's reasons for this extraordinary action? He was unfortunately unable to be present when the right hon. Gentleman made his statement on the previous day, but he had since carefully read the speech and had discovered two reasons for the attitude taken up by the Leader of the House. He first said that the Bill was of great importance, and that the House of Commons ought to have an opportunity of pronouncing an opinion upon it; and, secondly, that the Government having taken the whole time of the House, and the Bill having a favourable position, the Government were bound to give

facilities for the House to pronounce an opinion on it. These reasons were very unsatisfactory. It might be said that the Government had given a pledge to the Representatives of the miners who were in favour of the Bill. But why was that pledge given? He had sought for the reason, and in the course of his investigation he remembered that the Prime Minister in platform speeches had made references to the Bill which must have influenced the Government. At Edinburgh, on March 17, the Prime Minister said that the Bill would have the great mass of the Government support, and would be given a day and every facility consistent with the work of the Session. They would spare no efforts, as individual Ministers, to pass it into law. But the noble Lord went further, and later, at St. James's Hall, said that the Government had promised Government support of the Bill, and that was a recognition of the Government's viewing this new force as one on which it must rest for support. He would point out the difference of tone between these utterances of the Prime Minister and the statement of the Chancellor of the Exchequer. Lord Rosebery said that the Government would give the measure their cordial support and would try to pass it through Parliament. The Chancellor of the Exchequer simply stated that the subject was important, and that the promoters had been successful in the ballot. Something must have happened in the interval; and he would suggest that he was not far from the mark when he said that the Government had found that there was much more opposition to the measure on their own side of the House than they had supposed. Perhaps the right hon. Member for Newcastle had reminded the Government that his views were not the same as the Prime Minister's. He himself protested against the course which had been adopted; and he hoped that if this Motion were pressed to a Division those on the other side of the House who were opposed to the Bill would join in protesting against exhausting the time and energies of the House for these exceptional facilities, which ought never to have been given.

MR. LABOUCHERE (Northampton) said, that practically the hon. Member complained of the Government's taking

the liberty to arrange their business as they thought best, and without consulting him. The real answer to the speeches of the right hon. Members for Bristol and Birmingham was this: The Chancellor of the Exchequer had submitted a modest programme for the end of the Session. The complaint of hon. Gentlemen was that the Chancellor of the Exchequer was wrong in supposing that the programme could be carried out by the end of August. If it could not, what would happen? What ought to happen? That hon. Gentlemen ought to sit on into September until the programme was carried through. He was really an impartial "bottle-holder" in the matter; for, while he greatly admired the stalwart spirit of Ministers and of the Members round them, the state of his health would deprive him of the pleasure of taking part in their heroic determination to carry this programme. He was not, therefore, concerned, unless, as the Leader of the Opposition had suggested, the House went on sitting till November, when he had no doubt that the state of his health would permit him to come back. There was another point to which he wished to call attention. His complaint was that the programme was not larger. There was one subject on which he had hoped to hear some statement made by the Chancellor of the Exchequer. They had heard a good deal about the Newcastle Programme. The House was aware that the Government Party had the advantage of what might be called a Liberal Parliament. Delegates from all the Liberal Associations throughout the country met occasionally and laid down what they thought ought to be the programme of the Liberal Party. That they did at Newcastle before the last Election, and their programme had been accepted by the leaders of the Party. Since then there had been another meeting of this Liberal Parliament at Leeds, and it passed a resolution declaring that it was desirable and necessary that any Bill passed through the House of Commons should become law during the same Session. The meeting called upon the Leaders of the Liberal Party to give effect to that view in the present Parlia-

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ment. Of course, one could quite understand that after the fatigues and labours of the Session Ministers were not prepared to go into the question exhaustively during the present Session; still they ought to have some understanding with Ministers that they on their part accepted in its entirety the resolution of the Leeds Conference, and that they would table a Bill which they should propose to carry, if not in this, at all events in the ensuing Session. The Chancellor of the Exchequer had already projected his mind into the next Session. He had told them what Bills were to be brought in; would he add the information whether the Government Bills would include one altering the present methods of Parliamentary procedure? Speaking not only for himself, but for a large number of Radicals in the country, there would be very great dissatisfaction if something was not done in this matter very soon. If there was not an announcement at the commencement of next Session that the Government accepted the resolution of the Leeds Conference as the irreducible minimum, he was afraid it would be necessary for those who agreed with him to take active measures, either by Resolution or by Amendments, in order to ask the Government to express their views and submit the question to the House upon these matters.

SIR W. WEDDERBURN (Bauffshire) said, he should like to say a word with regard to the neglect of the House of Indian affairs. The people of India were almost in despair at the habitual disregard of their grievances. It was the duty of the Government to hold the balance as between competing claims and interests, and to see that fair play was given to those who had no Representatives in this House and no votes to give to the Government.

*SIR J. LUBBOCK (London University) said, he was very much surprised at the selection which the Government had made of Bills which they had determined to press forward. The Evicted Tenants Bill referred to but a comparatively small number of persons. The Equalisation of Rates Bill, again, dealt

with a very complicated and difficult question. The Chancellor of the Exchequer said that it would be supported by the majority of London Members. That might be so, for it transferred large sums from some 28 districts to 40 others. It was reasonable to suppose that it would be supported by the representatives of most of the 40, though it had by no means their unanimous support, because some of them felt that, though they might gain for the moment, still it would offer such inducement to extravagance that they would suffer in the long run. Moreover, if the principle was adopted for London it must be extended to the rest of the country. Then the Government were going to give facilities to the Eight Hours Bill, and he should like to make an appeal on behalf of the Shops Early Closing Bill. The Shops Bill relieved not men only, but would be a precious boon to a great number of women and young persons who had no votes, and were on that very account especially entitled to the consideration of the House. Secondly, it dealt not with eight hours, but with persons working 12 and even 14 hours; and, thirdly, it rested on a unanimous Resolution of the House, supported by Her Majesty's Government. He greatly regretted that they had taken no steps to promote a measure which was not controversial, and the importance, he might say the necessity, of which they had themselves recognised.

*MR. BARTLEY (Islington, N.) said, the Government was already responsible for a large expenditure of the time of the House, and had in fact practically taken the whole time of the Session at a period early beyond all precedent. That being so, they ought to have been a little modest in their demands for the remainder of the Session, and the Bills they proposed to press forward. As a London Member he took a deep interest in the Equalisation of Rates Bill, and he and those who thought with him on this question, although they were in favour of a re-arrangement of local taxation under which the poor should pay less and the rich pay more, must necessarily occupy some of the time of the House in pointing out that under the provisions of this Bill in some cases the poor would have to

pay more while the rich would obtain a benefit which they had no desire to have conferred upon them. It must be remembered that this measure would be the foundation upon which future proposals for effecting enormous changes in relation to local taxation would be based, and therefore it was only right that it should receive adequate discussion before it became law. He had done all in his power to secure the passing of the Building Societies Bill, the progress of which was stopped by one of the supporters of the Government. That would be a most useful measure, because it was hoped that it would put an end to any cases of fraud and irregularities that might exist in some of these societies. He did not think that the Government had acted very fairly by the House in picking out from among the numerous private Members' Bills the Eight Hours Bill for advancement simply because it was promoted by one of their own supporters. The Evicted Tenants Bill was of a most revolutionary character, and if it were not for political considerations no human being on either side of the House would support it. That Bill would have to be resisted to the utmost, and the time that would be occupied in discussing it must necessarily be considerable. In addition to the time that would be required for the discussion of the measure to which he had referred, a considerable further portion of the time of the House would have to be occupied in bringing forward questions arising on Supply. The programme of the Government, therefore, was a sham one, and had merely been brought forward by the Government with the hope of keeping the various sections of their supporters in good humour. In his opinion, all that the Government should demand of the House was that they should pass the necessary Votes in Supply, and perhaps one or two non-contentious Bills, and then allow them to separate for their well-earned holiday.

MR. A. J. BALFOUR (Manchester, E.): There appears to be a general agreement between the two sides of the House that the end of August probably represents the limit of Parliamentary endurance; and not a single word, I was glad to notice, fell from the right hon. Gentleman the Chancellor of the Exchequer to contradict the opinion, of which

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he himself was the exponent earlier in the year, that if this House is to continue adequately to discharge its functions, if the health of its Members is to be preserved, if the whole machinery of legislation is not to break down by being overstrained, it is absolutely necessary that the holidays this year should not be deferred to some extravagantly late period. We do not differ on that point. But we do differ with regard to the possibility of carrying out that programme which, with conscious or unconscious humour, the Chancellor of the Exchequer presented to us yesterday, for the purpose, as he told us, of bringing the Session rapidly to a close. I do not think, Sir, such a statement ever was so prefaced in the annals of Parliament. When I heard the welcome words of the right hon. Gentleman, I, for my part, thought that some modest proposals of legislation were going to drop from his lips, and that he was going to tell us that, after one Bill, or at most two Bills, of no very contentious character had been disposed of, the House might then deal with the great questions raised by Supply, and might then amicably prorogue in the third week in August, or perhaps as late as the fourth week in that month. But when the Chancellor of the Exchequer began to develop his programme there was not a man on either side of the House who did not know in his heart that the calculations as regards time with which that plan was accompanied were absolutely ludicrous and absolutely impossible, and therefore were likely to raise fallacious hopes in the minds of his hearers, if they raised any emotions at all except those of ridicule. We are accustomed to such calculations at the beginning of a Session. Every Government that I have ever heard of always begins the Session by promising their followers and the country a programme in the Queen's Speech which persons of a less sanguine temperament than Governments are at that period of the year would know could never be really carried out. But we forgive that. We have all done it. But what we do complain of is that the youthful folly which is excusable in February should make its appearance on the 18th of July. By that time the spirit of sober seriousness should come over a Government; they should have sown their wild oats; they should know what it is that

life can give and what life cannot give; and really, at a period when the Session is approaching the natural term of its existence, to indulge in these illusory hopes and vain dreams of future glory is as foolish as it is for a septuagenarian to indulge in visions which we all admire in youths of 18 or men of 25. I do not know that there is anything that I can add that will increase the force of that pregnant almanac or forecast of our time which was given to the House by my right hon. Friend the Member for West Birmingham. He went through the promises of the Government item by item. He cut down to the narrowest limits the amount of time which would be taken by each of those items in turn; and he showed, I think, to demonstration—at all events, no refutation has been attempted—that if all the other things promised by the Government were performed it was absolutely impossible to leave a single hour to be given to the Evicted Tenants Bill, the consideration of which we are about to commence. How is it that the Government have been led to such a very different conclusion? I think I can point out how it is that the right hon. Gentleman has made his false calculation. The right hon. Gentleman made a most extraordinary calculation which will not stand a moment's examination. In the first place, it cut out all discussion of Supplementary Estimates. Why? What is it that takes time in the discussions of Supply? It is the discussion of the action of the Government, and questions can be raised just as well upon the Supplementary Estimates as upon the main Estimates. The right hon. Gentleman, however, made a more important and a more curious error when, like other statisticians, he insisted on taking as the basis of his calculation the figures that happened to suit him, and leaving absolutely out of account all the figures that did not happen to suit him. He took the years 1891 and 1893. Why did he not take 1890, or 1889, or 1888, or 1887? When you are dealing with averages it is always well not to take too small a basis on which to build your superstructure. If the right hon. Gentleman had taken the average of all the years during which he led the Opposition he would have found the figures as to the time given to Supply very different from those which

he produced. The figure which the right hon. Gentleman gave was $27\frac{1}{2}$ days, and the average number of days occupied with Supply in the years to which I have referred was 38. The right hon. Gentleman should have included the supplementary Estimates in his calculations, but I observed that in the years he gave the difference between Supplementary and other Estimates was four or five days. The total number of days in 1893, which was an exceptional year, was, including the Supplementary Estimates, 34.

*SIR W. HARCOURT: No, 38; and included nine supplementary days.

MR. A. J. BALFOUR: My figures are carefully made, and, though I have not the figures excluding the Supplementary Estimates, I make the average number of days occupied, excluding 1892, to be 38. If that average is going to be adopted by the House, then the calculations of the Chancellor of the Exchequer are ludicrously off the mark. The second mistake made by the Chancellor of the Exchequer is with regard to non-contentious business. He assumed not only throughout his speech, but throughout the supplementary interruptions with which he greeted the right hon. Member for West Birmingham (Mr. J. Chamberlain) that a non-contentious Bill was a Bill that was not debated. That is not the definition of a non-contentious Bill. A non-contentious Bill is a Bill on which Parties are not keenly divided, upon which there is no desire to run counter to the general principle of the measure; but it does not mean, and never has meant in our Parliamentary vocabulary, a measure which do not require amendment and discussion and full consideration by the House in its various stages. And if you refuse to give to so-called non-contentious Bills the amount of discussion they require, the result will be that your legislation will be full of blunders which will have to be corrected, and you will throw upon the House of Lords work which you ought to have undertaken, but which, no doubt, they are quite as capable of performing as you are, if you choose deliberately to divest yourselves of the duties with which your constituents have entrusted you. The third blunder of the Chancellor of the Exchequer, which affects the results of his calculation, relates to the Evicted Tenants Bill. It

would be entirely out of place here to discuss that measure even in the most cursory manner; but to suppose that the House is not going to debate a measure like that, which, though it is not a long measure, bristles in every clause with new principles and the new application of old principles, and with new machinery is surely absolutely ludicrous. What constitutes fair discussion? I will give the right hon. Gentleman a measure of fair discussion; I will give him a standard by which fair discussion may be approximately estimated. The Government of which he is a Member, in their wisdom, decided to establish a Scotch Grand Committee. That Committee was deliberately created by them as an instrument for the rapid discussion of the measures entrusted to it. One measure, and only one measure, was entrusted to that Committee. It was a measure non-controversial in its general character, and a measure upon which no Division had been taken on the Second Reading. It was a measure constructed upon similar lines to the English Bill, which had been most thoroughly threshed out in the House within the last six or eight months. It was entrusted to a Committee composed of the most business-like section of the House, countrymen of my own, who notoriously measure their words, and press into the briefest possible compass what they feel it incumbent upon them to say. It will be admitted, I think, that if ever there was an instrument calculated rapidly to go through the details of a Bill the Scotch Grand Committee was that instrument. And what has been the result? It has been occupied 14 days over the Bill, and the Government who are in charge of the measure find at the end that they could not carry the Bill in its entirety without unduly prolonging the labours of the Committee. They have therefore thrown over one part of their scheme, the discussion upon which is not finished yet. If that is what is done in a Committee, not of the whole House, but of 60 or 70 Members—about a tenth part of the size of the whole House—on a measure which is uncontroversial and is strictly upon the lines of legislation already passed in the House, what are we to expect of a Bill, which has to be discussed in a House of 670 gentlemen, which is entirely novel in all its proposals and in all its parts, which

is so far from being uncontroversial that it probably will raise more bitter controversies than any legislation introduced into this House since the Crimes Act was discussed and passed, and the discussion of which is not to be carried on by Scotchmen, but is to be carried on by Irishmen? If this uncontroversial Scotch Bill took 14 days in the Grand Committee for one of its stages, how long is the same stage going to take in this House, when the Bill is discussed by 670 gentlemen, or, rather, by all who are left alive, during the next three or four weeks? It is really absurd for any Government to be so wilfully, or, at all events, so fatuously blind as to suppose that a measure of this kind, though it only consists of eight clauses, is going to get through this House without an expenditure of Parliamentary time, Parliamentary labour, and Parliamentary discussion, which of itself would be sufficient absolutely to upset the calculations of the Chancellor of the Exchequer. There is another Bill, any mention of which was conspicuously absent from the speech of the right hon. Gentleman. He did allude in a passing phrase or two to the Mines Eight Hours Bill, but he did not give us any estimate of the amount of time he was prepared to give to the discussion of that measure or the number of stages that measure was to be allowed to pass through under the protection of the Government. I quite agree that the Eight Hours Bill is a most important question, and it may or may not be right to give time for that Bill; but what is not right is that the Government should ask this weary and jaded House, after 18 months of almost continuous work, to sit down and deal in Committee with this Bill for an indefinite period and without any pledge from the Government or any decided hope being held out either to us or to the miners, or to any section of the community, that the labour so bestowed will not be absolutely thrown away. The phrase used by the right hon. Gentleman in talking of the Eight Hours Bill was that he desired to have the judgment of the House upon it. What kind of judgment is this House capable of giving to any Bill at the end of August, when August will be the 19th month in succession since we began our labours? Everybody knows what a state the House will be in at that time. There will be

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200 pairs or more. The House will be reduced—I will not say to the dregs.

SIR W. HARCOURT: To the two Front Benches.

MR. A. J. BALFOUR: There will be a survival of the most vigorous constitutions. It will be left to those who are physically strongest—to the smallest fraction of the House. Hon. Gentlemen sometimes argue as if the House, when there are 200 pairs, was as well qualified to represent the country as when all the Members are present. That is not the case. No doubt the House equally well reflects the balance of Parties, but it does not and cannot represent public opinion in the same way as if there were a full attendance. That argument has less weight when you are dealing with business of so Party a character that practically all the Members of one Party are found in one Lobby and all the Members of the other Party in the other Lobby. But when you are dealing with a Bill like the Eight Hours Bill, where Party discipline is not exercised and where the Divisions do not correspond to the division of Parties, I ask what kind of reflection of the opinion of the country will be got out of the House at the end of August? Whatever else it may do, it will not give the country the judgment of this House on the Eight Hours Bill. I do not know what has passed in private between the right hon. Gentleman and the miners' representatives; but of this I am quite certain: that if these miners' representatives either have deluded themselves or have deluded their constituents into the belief that the Government mean business over this Bill, and really means to get it through the House, they are the most deluded even among the many deluded mortals of which this Assembly consists. All the Government want to do—a most legitimate object—is to secure their attendance and their votes while they are legislating for Ireland. When they have legislated for Ireland I think these gentlemen will find that, though a day or two may be tossed away in Committee for the purpose of airing this or that clause or this or that provision of the Miners' Bill, the right hon. Gentleman (Sir W. Harcourt) has no more idea of sacrificing his holiday or his health for the purpose of passing this Bill than has the hon. Member for Northampton (Mr. Labouchere), who told us that he was all in favour of sitting on

until October, though, for his part, business would take him into foreign parts. Sir, we all appreciate the difficulties in which the Government find themselves, but I would put it to all sections of the House, irrespective of Party, whether we do not as a legislative machine exist for some better purpose than merely to reconcile the different fractions of the Liberal Party? That is an honourable and estimable task to pursue, and anything I can do towards that end I should be glad to do. But we may make too great sacrifices even for an object like that, and I think that to ask us to go through the parade of legislation, when neither by our numbers nor by our individual vigour we are capable of really doing the work entrusted to us, is to destroy this House, to injure its reputation in the country, and to greatly impair its power of doing good work. I say nothing of the officers of the House, because it is easy to trot out their interests for the purposes of debate, but I ask the House to remember that we have arrived at the end of a period of labour to which Parliamentary history offers no parallel at all. I myself, and of course there are many others, have been engaged in the active work of discussing legislation continuously since the 1st of February of last year. I do not believe that it is physically possible for Ministers to do the work of this House and the work of their offices if they are called upon to do the work of this House for so long a period. It may be that we are blessed with Ministers who are so richly endowed with physical vigour that they are not the slaves of the weaknesses which attach to other men, but I am perfectly certain that unless they are these happily-gifted and exceptional mortals, it is quite impossible that they should be able to give the freshness of their minds to their departmental work, and, at the same time, carry on the continuous, the wearisome, and the exhausting labours imposed upon us by the programme of the Government. Sir, I will say no more except again most earnestly to urge the Government to remember the pledge they have given us with regard to the early termination of the Session. Their calculation as to the time that may be taken may be right, or our calculation may be right; but whoever is right, I am convinced that paramount above the petty interests of this

section or that section, and all the small considerations that the Chancellor of the Exchequer has laid before us to-day, rises up that extreme necessity of preventing the House of Commons, by sheer exhaustion, from losing all its efficacy for public purposes and work which can only have the result of degrading us in the public mind and of throwing on the other House of Parliament work which it is our business primarily to perform.

Question put.

The House divided :—Ayes 205 ;
Noes 256.—(Division List, No. 187.)

ORDERS OF THE DAY.

EVICTED TENANTS (IRELAND) ARBITRATION BILL.—(No. 176.)

SECOND READING.

Order for Second Reading read.

MR. J. MORLEY rose to move the Second Reading, when

THE MARQUESS OF CARMARTHEN (Lambeth, Brixton) said, he desired to submit to the Speaker a point of Order. He wished to know whether this Bill could be proceeded with? On April 19 the right hon. Gentleman (Mr. J. Morley) asked leave to bring in a Bill entitled "The Evicted Tenants (Ireland) Bill," and it was ordered to be read a second time on April 23, when it again appeared upon the Paper as "The Evicted Tenants (Ireland) Bill." On April 30, however, without notice or the sanction of the House, it appeared upon the Paper as "The Evicted Tenants (Ireland) Arbitration Bill." That, he submitted, was not a permissible change of title. In Sir Erskine May's *Parliamentary Practice* he found the following passages :—

"It may become necessary, before the Second Reading of a Bill, to make considerable changes in its provisions, which can only be accomplished at this stage by discharging the Order for the Second Reading and withdrawing the Bill. If a change of title be necessary, the practice is to order the Bill to be withdrawn, and to move subsequently for leave to bring in another Bill. [*Cheers.*] But where the Bill is withdrawn, for the purpose of making numerous Amendments, without any change of title, a simpler form of proceeding is adopted."

He submitted that, in accordance with the practice here explained, this Bill

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ought to be withdrawn, and another introduced in its place.

*MR. SPEAKER: A Bill has always two titles, a long title, as it is called, and a short title. The long title is the governing title of the Bill, and leave is given to bring in the measure according to the long title, which remains the same in this case as it was when the Bill was brought in. That title is "A Bill to Facilitate and make Provision for the Restoration of Evicted Tenants to their Holdings in Ireland." The noble Lord says that on the Order Paper to-day it is called "The Evicted Tenants (Ireland) Arbitration Bill." The fact is, that the short title of a Bill which appears on the Order Book is to be regarded as a mere marginal note at the end of the Bill, and the title of this Bill has been used for the purpose of convenient reference should the Bill pass into law. If the noble Lord will look at the 8th clause of the Bill he will see these words: "This Act may be cited as the Evicted Tenants Arbitration Act, 1894." It is in harmony with this clause, which declares what is to be the statutory short title of the measure, that the title appearing on the Paper has been given to it. There has been no change in the Bill since leave was given to introduce it. This title was only given to the Bill for convenience of reference, and in order that the title on the Paper and the short title in the Bill itself should harmonise.

MR. J. MORLEY: In rising to move the Second Reading of this Bill I find myself confronted by a rather curious change of position on the part of those who resist the measure. An extraordinary and most unfortunate change seems at the eleventh hour to have come over the temper and intentions of the Opposition respecting this Bill. I am sure that when the nature of this change is understood it will make a deep impression on the mind of the House. On the First Reading of the Bill no attempt was made to deny the existence of a difficulty in Ireland which it was the duty of any Government to make every effort to meet. Not every speaker, it is true, went as far as the right hon. Member for Bodmin, who said—

"If they wished to effect a permanent and peaceful settlement they must do their best to abate the feeling of ill-treatment in the past."

Such a course would be in the interests of all parties; and it was certainly to the interest of those who thought that there might be a change of Administration in the near future that the question should be settled, for in whatever difficulties this band of dispossessed tenants might involve the present Government, any future Government, with a different political complexion, would be placed in infinitely worse difficulties."

That was the language of the right hon. Member for Bodmin, and although every other speaker did not go as far as my right hon. Friend, even the Leader of the Opposition did not deny the existence of a social and administrative difficulty. Then the hon. and learned Member for Dublin University (Mr. Carson) said—

"He should be certainly sorry to adopt a *non possumus* attitude on this question. He knew enough of Ireland to say that he believed and admitted that the question of the evicted tenants, whether they were rightly or wrongly evicted and whether they were evicted for the purpose of advancing a particular class of politics or not—that as long as it remained unsettled the question of the evicted tenants meant a great deal with reference to the peace of Ireland."

Well, the next step was the placing, many weeks, if not months ago, of a notice on the Paper by the hon. Member for South Tyrone (Mr. T. W. Russell). Nothing ever daunts him. He put an Amendment down with a moderating preamble. It began in this way—

"This House, while willing to accept just and practicable proposals for the reinstatement of the evicted tenants."

The next step, however, was to take out the words, "just and practicable proposals," and it was clear from this change that the task of resisting our plans had been taken out of the hon. Member's hands and entrusted to those of an irreconcilable section, which would listen to no proposal, no matter how just and practicable, no proposal for dealing with the social mischief whose gravity had been admitted in all parts of the House. But now we find that a further step has been taken. This section to whom I would apply no language worse than "irreconcilable"—these gentlemen would not be content unless the Amendment which was to express their determination to resist the Bill was in a form involving a deliberate retreat from the policy of the 13th section of the Act of 1891 and a deliberate declaration that gentlemen opposite are at last going to take up the position which the hon. and learned

Member opposite (Mr. Carson) said he would not take up—the position of *non possumus*. If the Amendment that is to be moved to-night has any meaning, that must be the meaning attached to it. I have never denied that there are enlightened and humane Irish landlords, but some of them are humane without being enlightened, and there a few who are neither enlightened nor humane. The hon. and gallant Member who is to move this Amendment belongs, I think, to the second category. He has never shown an enlightened appreciation of the difficulties which surround this and other portions of the Irish question. I cannot help saying that it is a misfortune that the Amendment has been taken out of the hands of the hon. Member for Tyrone, and has been transformed and altered, and, taking the form of the rejection of the Bill root and branch, has fallen into the hands of an hon. Gentleman who belongs to that irreconcilable section whose lamentable blindness has so often before now blighted the cause of peace and order in Ireland. Now, my right hon. Friend the Member for West Birmingham is reported to have said, and he has not denied the accuracy of the report—

"I may remark that I am quite prepared to admit that it is most desirable that some equitable measure should be passed in the interests of evicted tenants. This can only be accomplished by an agreement between the Unionists and Gladstonians."

Now, of course, it may be said that the settlement proposed in this Bill is not an equitable settlement. Yes; but if you deny that, in denying it do what the hon. Member for Tyrone asks you to do—namely, say that this Bill is brought in to meet a difficulty which is of the utmost gravity, and that it is of the utmost importance that it should be dealt with and removed. It was said only half an hour ago that this Bill bristles with new principles. I shall be surprised if the right hon. Gentleman or any of those who sit beside him can show me that there is one principle in this Bill for which a precedent cannot be found in the Irish legislation of the last 25 years. The first principle is the use of public money to recoup private loss. That was the basis of the Arrears Act of 1886. Then it is said you have no right to resort to the Irish Church surplus.

There, again, I turn to the Arrears Act. Precisely the same objections could be taken—that it was improper devotion of the Irish Church surplus to use it for the purposes of the Arrears Act. I want to know, in the language employed in 1882 by my right hon. Friend the Member for Midlothian, to what better use can you put the Church surplus or any other available fund in Ireland than to the restoration of peace and harmonious relations between landlord and tenant? Then we are told that the principle of compulsion in this Bill is intolerable. There is no doubt that the principle of thrusting upon the landlord a tenant to whom he objects is found in more than one part of the Irish land code. The whole code is saturated with the principle of compulsion to which you are going to give such vigorous resistance. I should like to point out, after what the right hon. Gentleman said a short time ago, that we are adopting no new principle when we are asking the House to enable the arbitrating tribunal to put upon the landlord a tenant to whom he may have objections. Do those who use this kind of argument forget the free sale provisions of the Act of 1881? Under the provisions of the Act of 1881 the tenant is empowered to sell his interest, but he is obliged to serve a notice on the landlord naming the purchaser and the price agreed on, and, thereupon, the landlord has power within the prescribed period, but upon reasonable grounds, to decline to accept the purchaser of the tenant's interest. Who is to decide, according to the Act of 1881, what are or are not reasonable grounds? The Court—that is, the Land Commission. The Bill of 1881 set out four grounds which were to be held to be reasonable grounds, and which might justify the landlord in refusing to have this obnoxious tenant thrust upon him. I have not had time to look up the cause of the omission of those grounds, but for good reasons, no doubt, these grounds were omitted, and it is enacted in the Land Act of 1881, that in the case of dispute, the grounds of the landlord's refusal shall be decided by the Land Commission. That is exactly what we say here. We say that the tribunal of the three arbitrators are to decide whether the landlord's refusal to accept the tenant they have ordered to be reinstated is or is not unreasonable.

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It is left to them just as in the free-sale clause, it is left to the Land Commission. In 1891, when the right hon. Gentleman opposite (Mr. Balfour) held the office I now hold, the Redemption of Rent Act was passed. By that Act certain classes of tenants could apply to have their rent redeemed, and, if the landlord did not consent, then the tenant was entitled to go to the Land Commission to get a fair rent fixed whether the landlord liked it or not. It is, therefore, too late in the day to take up the position that it is an intolerable injustice and an intolerable invasion of the rights of property that the landlord shall have a tenant put on him whom he does not approve of. The point was greatly pressed, I think, by the Leader of the Opposition, and certainly by the hon. and learned Gentleman the Member for the Dublin University, that we defined no principles upon which the tribunal was to go to work. Well, to that I have to say that the enormously important Act of 1870, in the section dealing with the equities of landlords and tenants, lays down no principle whatever upon which the Court is to decide, and in the Act of 1881 there are no directions. We had before us upstairs two or three days ago the very learned Judge who is the Chief Judicial Land Commissioner, and in answer to questions he informed us that the Legislature has abstained from embodying any definition whatever, or giving any indication whatever, of what constitutes a fair rent under the Act of 1881. Here is a vital point in the administration of the Act, and yet we are told by the learned Judge, and the hon. and learned Member opposite (Mr. Carson) knows that it is so, that the Act of 1881 contains none of those directions and definitions of principle which you are so indignant with us for not having included in this Bill. There is one objection which the Leader of the Opposition took on which I should like to say a word or two. It is a detail, but not an unimportant detail. He said the evicted tenant may have had a rent fixed in 1885, and if he had not been evicted he could not have applied to have his fair rent revised until 1901. Is he, the right hon. Gentleman asked, as a restored evicted tenant to have the right to get his rent revised in 1894? No, Sir, that is not our Bill. It is not our intention that the evicted

tenant, generally speaking, when restored to his holdings should have rights he would not have possessed had he not been evicted. If the first clause as drawn can be shown not to deal effectively with this particular matter I shall be prepared to examine words for making it clearer. I may say that the learned Judge who presides over the Landed Estates Court has restored hundreds of evicted tenants to their holdings on estates in his Court, and has in many instances—so I am told—not only reinstated the tenants, but he has reinstated them at rents substantially lower than the rents they originally paid when they were evicted. Sir, there is another more serious objection, I think, on which I should like to say a few words, and it is one upon which I think the hon. Member for Tyrone has dwelt in his speech here and elsewhere. I mean the danger which our proposals are said to involve to a new tenant who should decline to consent to the order depriving him of the holding and restoring the old tenant. According to the Bill his consent is necessary, and the argument of the hon. Member for South Tyrone and of other gentlemen is that this requiring the assent of the new tenant—who I may perhaps remind those Members of the House who are not familiar with these matters—is known as a planter—will create a temptation to put violent compulsion by outrage and otherwise on him to secure the assent of the new tenant. Can anybody suppose that if there is this resolute determination in the minds of the evicted tenants or land jobbers to drive out the new tenant—can anybody suppose that the peril or hazard of that determination taking an active and violent form would not be just as great, yes and much greater, if the evicted tenants, as a body, were informed, once and for all, that the door of hope of facilitating their restoration to their holdings was closed?

MR. T. W. RUSSELL (Tyrone, S.): The right hon. Gentleman has quoted me, but that is not my position.

MR. J. MORLEY: I may have done the hon. Gentleman an injustice, but it is certainly the position taken up by the organs in the Press which support the views of these hon. Members, and of which we hear a good deal. There may be possible mischiefs in the proposals that we make. It is for you to point out the mischiefs. I will undertake to

say that, whatever mischiefs you point out in our plans, there is this difference between our plans and your absence of plans: The mischiefs in our plans are contingent and remote; the mischiefs in your absence of plans are certain, inevitable and flagrant. One more word on a point as to the reinstatement of the evicted tenants which was made on the occasion of the First Reading of the Bill, and which has been made in public controversy since. It is argued that the restored tenant would not have the means, if reinstated, to meet his liabilities. Here, again, it is perfectly clear that that is an uncommonly difficult question. I am the last man to deny it, and I want to meet all the difficulties as well as I can. My belief is that those whom the arbitrators think proper persons to reinstate, with the aid of their friends, or of contributions from some organisations, or other efforts, and particularly with the aid of this Bill, will pull through this particular difficulty. Anybody acquainted with Ireland knows that nothing is more surprising than the manner in which tenants with all the outward appearance of poverty somehow or other obtain the money to purchase farms whenever farms come into the market. That shows that there may be resources in the possession of these tenants themselves, which, if there is a hope of their legal reinstatement, with the assistance of the funds we are proposing to place at the disposal of the arbitrators, will ensure that the restored tenants on their reinstatement will have means to carry on, so that that is an objection without any great force. Another point that has been made is that the public hearing of applications by tenants will lead to protracted recriminations between landlords and tenants, and that the publication of these proceedings by the newspapers in Ireland will lead to a daily dose of exasperation which undoubtedly would be in the highest degree mischievous. Personally, I have a strong opinion that the proceedings before the arbitrators should be private, and I am advised that the words of the Bill do not preclude that mode of procedure. I shall, however, be prepared to strengthen the words of the Bill, if thought desirable; but I believe these words are adequate. There is just one other suggestion to which I should like to allude, which was made by the hon. and learned Member for Dublin Univer-

sity. He made the suggestion, which he said he would not claim novelty or originality for, that the sum proposed to be advanced should be expended in the purchase of some of those large tracts of land which, he assumed, are in the market, and which could be purchased in the present state of the Irish land market at a very low figure. That was a suggestion which was contained in the Report of the Mathew Commission. It would be the suggestion, no doubt, of anybody who has considered the condition of this problem, that those pieces of land under the jurisdiction of the Landed Estates Court should be purchased and provision made on those newly-acquired lands for tenants who have left the holdings to which they had gone, or for old evicted tenants who have not been restored to their holdings. Upon that suggestion I can only say we have a little experience. The right hon. Gentleman the Leader of the Opposition knows that when the Congested Districts Board was called into existence it made attempts in the direction of the acquisition of tracts of land, and I do not think the experience of that Board so far would make us treat this as a particularly hopeful suggestion. Nevertheless, if from any quarter of the House that suggestion is put forward in the shape of a practical Amendment, I will do my best to give it fair consideration, though, personally, I repeat I am not sanguine of its helping us out of our difficulty. There is no more vital point in the Bill than the composition of the proposed tribunal. On the First Reading of the Bill the right hon. Member for Bodmin saw that that would be a point upon which a good deal of discussion might turn, and upon which, in effect, the successful working of the Bill would depend. The Leader of the Opposition asked me whether the names of the arbitrators would be in the Bill, and I told him that they would. I am now able to announce the names of three gentlemen who, I believe, will fulfil all conditions which are desirable for the efficacious working of the Bill. They are all men of competence and impartiality, whatever their political leanings may be; and here I may mention that two out of the three are not in sympathy with Her Majesty's Government on Irish Government questions. But whatever their political views may be, I think it will be recognised that

these are the names of gentlemen from whom both Irish landlord and tenant may expect to receive fair and equitable and business-like treatment. The first gentleman is Mr. Piers White, who I think I am not wrong in describing as the undisputed leader of the Equity Bar in Ireland. His distinguished career and high character no one is better able to bear testimony to than the hon. and learned Member for the University of Dublin. The second name is that of Mr. George Fottrell, who has vast experience of business connected with Irish land. He has carried out great transactions of sale and purchase and has acted both for landlord and tenant on a very large scale, both in rent fixing and in transactions of purchase. Mr. Fottrell was, at all events, thought well enough of by gentlemen opposite to be invited by the right hon. Baronet the Member for Bristol to take a place on the Cowper Commission, the right hon. Baronet thinking his presence would give weight to its deliberations, whilst he would be an impartial as well as competent inquirer. The third person is Mr. Greer, a legal Sub-Commissioner from the very beginning, who was also chosen as a permanent Assistant Commissioner under the Land Act of 1891, passed by the right hon. Gentleman. These are the three arbitrators, than whom I do not think we could find three more impartial or competent in the whole of Ireland. Since the First Reading I am glad to find myself able to make an announcement which will be satisfactory and gratifying to all friends of this Bill. The figure mentioned in the Bill is £100,000. I thought at the time that it was a comparatively narrow sum, though small sums have some advantages and recommendations. My right hon. Friend the Member for Midlothian said when he brought in the Arrears Bill that there was something exceedingly fascinating in receiving public money; and that fascination is not less congenially and sympathetically felt in Ireland than in other parts of Her Majesty's dominions. Therefore, I should have felt that there were advantages for the purpose of thrift in the minds of the arbitrators by having a comparatively small sum. A Circular has been issued from the Treasury explaining the state of the Irish Church Fund, and in Committee I shall be glad to supplement that Paper by such observations

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and explanations as may seem desirable. The Leader of the Opposition, with something of an envious and grudging turn of mind, said that he had, in 1890, endeavoured to get all the money he could for the purpose of endowing the Congested Districts Board, but he found that it was mortgaged up to the hilt, and could not understand how there came to be £100,000 to spared for the purposes of this Bill. The explanation how even a larger sum than that—as I shall presently mention—is now available is, as I am told by the confidential advisers to whom I referred, that the endowment proposed in 1890 may be taken as based on the position of the Fund on March 31st in that year. Any advance is, of course, more or less a forestallment of the future; but we have now come four years nearer to the date when a great drop in the charges on the Irish Church Fund takes place, and this renders the operation of forestalling the future less risky and hazardous to that extent. We shall, however, have abundant opportunity for discussing these and other details when we get into Committee. In four years outstanding arrears have been reduced by £100,000—a source of receipt which could not be calculated upon in 1890. Thirdly, and lastly, sales and redemptions have amounted to something like £117,000 a year, making a total of £465,000. Thus the immediate financial position is far more easy than it was in 1890. In the meantime, I am in a position to say I am informed, by those who cannot possibly give bad advice, that a sum, not only of £100,000, but of £250,000, can be made available for the purposes of this Bill. The same gentleman who gave the Leader of the Opposition a million and a half for the Congested Districts Board assures me that I can have it if it is required. I am quite confident, therefore, when the time comes I shall be able to obtain all that will be needed. There is one further point that refers to the magnitude of the scale of operations we are asking to be allowed to undertake. So far as I can make out, the total number of holdings from which tenants were evicted between May, 1879, to the 1st of May, 1894, was something like 5,900. Through the operation of various causes there are about 2,000 holdings in respect of which no action will be required, and there is left a balance of 3,893, or,

roundly speaking, something under 4,000 holdings, as the probable maximum which might possibly come under the operation of the Bill. In the cases of the estates investigated by the Mathew Commission, the average rent was found to be between £15 and £16 a holding. If we assume, as I think we may, that the same scale would cover the whole field of the evicted tenancies, then the 4,000 cases would give an aggregate rental of £60,000. As the arbitrators are not entitled to award under the head of rent more than one year's rent, to take it at the highest, this leaves a very large margin out of the sum I have just mentioned for the two other possible payments to the new tenants, on the one hand, and on the other the payment, not exceeding £50, if the arbitrator thinks fit, to the tenant making a new start. It may be thought that these operations will cover a long period of time; but it need not be so, and I cannot believe it will be so. A couple of years ago there was an arbitration on the Drapers' Company estate, in which the hon. Member for North Louth and Mr. Thomas Dickson, formerly a Member of this House, were concerned. The object of the arbitration was to fix the amount of purchase-money and to deal with £17,000 of arrears of rent. The arbitrators dealt with 560 cases; these were all settled within three months, all the evicted tenants restored, and satisfactory terms arrived at. [Mr. CARSON: Was that a voluntary settlement?] Yes, of course. I am only on the point of the time that it will take to dispose of a large number of cases. Other figures were given on the Committee upstairs by Mr. Justice Bewley. He said that in 1892 he delivered judgment in 1,650 appeal cases, all heard through; in 1891, in 1,485 cases; and in the three and a half years during which he had been Judicial Commissioner he delivered judgment in 4,540 cases, fully heard. I do not know why the arbitrators under the powers of this Bill should not get through their business, which is less complex in many ways than these appeals, with corresponding rapidity if they deal with tenants and cases in groups, as they will be able to do. I will only add that Ireland is now quiet, and tranquillity seems profound. But for my part I have been careful never to say, and I have never pretended to think, that this quietude is the

slumber of a sound and perfectly-established health. These are the moments the neglect of which has been followed by such disastrous consequences in the history of Ireland. It is the inveterate neglect of opportunity and occasion that might have been used for purposes of good, both for England and Ireland, that has left us face to face, time after time, with an aggravated malady. In view of the fatal lesson the negligence of this Parliament has taught to Ireland, I will be careful not to indulge in any prediction of the consequences that may follow the rejection of this measure, because predictions of possible disorder may be misinterpreted as an indication or a menace. Nothing is further from my intention. The House will not forget on how many occasions—several within the last 14 or 15 years—we have allowed favourable moments to pass by. I am confident that on this occasion for once Parliament, in this branch certainly, and I should be glad to think in minor branches, will not prove incorrigible, but will accept this favourable moment for satisfying an indispensable condition of social healing in Ireland.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. J. Morley.*)

COLONEL SAUNDERSON (Armagh, N.) said, he rose for the purpose of moving "that the Bill be read this day three months," and in doing so he was well aware that he laid himself open to an attack of a kind similar to the attack made upon him by the right hon. Gentleman. The right hon. Gentleman called him an "irreconcilable." On some points he was irreconcilable. As far as the Home Rule question was concerned, he acknowledged he was irreconcilable, but so far as dealing with the land was concerned, he did not think the right hon. Gentleman or any Member of the House had any right to call him irreconcilable, for he could appeal to his past Parliamentary history to show that such a term was misapplied. He supported the Land Bill of 1870 both by voice and vote, when such action was extremely rare amongst the class to which he belonged. He was perfectly well aware that the action he and his colleagues were taking on this occasion would lay them open to be pointed at by *their* political opponents as men who

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were opposed to any solution of this question of the evicted tenants. They would be described as men who gloated over the sufferings of their tenants, and who desired nothing more than to turn them out of the holdings, deriving infinite pleasure and satisfaction from it. But to gloat over the sufferings of the evicted tenants in Ireland was an expensive pleasure, and a landlord, however depraved, would think of the expense. He cared not much what his opponents thought of him, and he did not think his colleagues cared much. But they opposed this Bill because they looked upon it as fatal to the future prosperity of Ireland. They looked upon the Bill as without exception the most extraordinary legislative monstrosity ever introduced either in this or any other Parliament on the whole face of the earth. Very naturally holding that view, rightly or wrongly, the only course they could pursue would be to meet it with a direct negative. They looked upon the Bill from three standpoints: There was the position taken by the Government, the view the landlords took of the Bill, and the view the tenants took of it. With regard to the Government, he did not know whether they were very anxious to proceed with this Bill. He observed that they required a certain amount of nudging during the course of this Session. They all remembered how, every now and then, the hon. Member for Kerry, in his most Olympian tone, asked the right hon. Gentleman when he intended to proceed with the Evicted Tenants Bill. Somehow or other the Evicted Tenants Bill lingered on towards the end of the Session, and at last driven, he expected, with their sails filled to the Irish wind from below the Gangway, they had brought in this Bill. How they viewed the Bill he thought they had discovered from the speech of the right hon. Gentleman. The Chief Secretary wondered why they did not accept it. Evidently the right hon. Gentleman thought there was some weakness in the financial condition of the Bill, because, after the grant of this money, he still thought their tenants would be in want of assistance. He said—and he hoped the hon. Members below the Gangway were satisfied with it—that they were to get money somewhere to enable them in some way to pull through. This was a hopeful position for the Irish tenant. To

get money in Ireland somewhere was not always an easy way to pull through, and would involve an additional difficulty from which both landlord and tenant would shrink in affright. He did not blame the Government for bringing in this Bill, for the simple reason that they could not help it. He would say this of the Government—and it would be the most complimentary thing he would say of them in the course of his remarks—that when they started on their career they were the most promising Government that ever sat on the Treasury Bench. They promised everything to everybody. They did that dangerous thing—they backed a great many Bills, and the difficulty they had experienced was in getting their Bills renewed. Dear little Wales was promised the plunder of the Church, and similar promises were given to Scotland; but while the Welsh and Scotch renewed the Bills, the Irish knew better than to do that. They pinned the Government to a Bill with regard to which they themselves were pledged up to the eyes. Therefore, he did not blame the Government for introducing the Bill—they introduced it because they could not help it. Now, how did the Irish landlord look upon the Bill? Why was it that the Irish landlord looked upon this Bill as utterly unjust to him? Let them consider what would his position be if the Bill became law. Suppose he had evicted a tenant. He ventured to say that, as a general rule, no landlord in Ireland evicted a tenant unless five or six years' rent was owing. [*Cries of "Oh, oh!"*] He did not say there were no exceptions; but certainly, as a general rule, no tenant was evicted unless he owed nearly five years' rent. He believed that statement could be shown to be absolutely true. Let them imagine, then, that 10 or 12 years ago a landlord got rid of a tenant who owed him five years' rent. The tenant disappeared from view, and another tenant occupied that farm. A great many of those who came into evicted farms had done very well, and had farmed the lands with success; but if this Bill passed into law what would happen? The old tenant might come back from America, or, if he had died, his representative might appear on the scene, and insist on being reinstated in the holding. What would happen then? The new tenant would be evicted. This

Bill, therefore, was not only a reinstating Bill; it was an evicting Bill. They proposed to evict at least 1,800 tenants and to replace them by men who had proved their incapacity either by becoming bankrupts or by joining the Plan of Campaign. That was the hopeful look-out for the Irish landlords. He thought, therefore, the House would understand why it was that the Irish landlords did not look with satisfaction on this Bill, under which the tenants who had worked the lands since 1879 would be evicted, in order to reinstate men who had proved themselves absolutely incapable of paying their way. He was glad that it had been elicited that only 1 per cent. of the Irish tenants had failed to effect a satisfactory settlement with their landlords. After all the land agitation that had occurred in Ireland, and after all that had been said about the thousands upon thousands of tenants who had perished by the roadside, it was satisfactory to hear that less than 1 per cent. of the evicted tenants had failed to get back under the satisfactory terms offered them by the landlords. He should not go into details now. They should have ample time in the next three weeks, which the Bill would occupy. If this Bill ever became law, which it never would—[Several MEMBERS: Why not?] Because it would be thrown out in the other House. It would be thrown out by the other House, whose principal duty it was to rectify the mistakes made in the House of Commons. But if the Bill passed, a quiver of horror would run through every tenant who had occupied a farm since 1889. For what was the meaning of the Bill to those men? It meant that a farmer occupying and working a farm for the last 14 years might suddenly, and without the power of redress, be evicted from the farm in order that the former tenant might go into occupation. In other words, the Bill meant ruin to those men. Those men were called "land-grabbers" by hon. Gentlemen below the Gangway, and how were "the land-grabbers" to be treated if they did not comply with the orders of hon. Gentlemen below the Gangway? He would read the words of the hon. Member for East Mayo, the principal leader of the Plan of Campaign, uttered on the 20th of May last, which showed that the tenants who had been in

possession since 1879 would not have a happy time—

"What is the course that we recommend to the people of Ireland, and which we have always recommended in the past to the people of Ireland, to deal with the landgrabbers? [A voice: Shoot them.] I dare say you have all heard of the nursery rhyme in the days of your youth about 'Little Bo-Peep.' I would apply that rhyme to the landgrabber—

'Let him alone,
And he'll come home,
And leave the grabbed land behind him.'"

But it was dangerous to quote poetry unless one went to the end of the rhyme. "Little Bo-Peep" found her sheep, but she found them in a condition that made her heart bleed because they left their tails behind them, and that was exactly what would happen to the sheep of the landgrabber. He knew the right hon. Gentleman the Chief Secretary for Ireland would tell them that the law was sufficient, if a Liberal Government was in power, to protect the new tenants against the attacks of the old tenants. The right hon. Gentleman had laid down a rule that no violent intimidation in the way of speeches was to be used within a mile of the landgrabber's house; and it was said that the mile was measured by a policeman treading out 1,760 yards. He did not know what put the right hon. Gentleman up to that principle of protection. Perhaps the right hon. Gentleman learned something about explosives at sea. He went once on board a torpedo-boat to witness the explosion of a pole-torpedo, and was told by the officer in charge that the boat would be blown into the middle of next week by the torpedo if the pole was not a certain length. In like manner the pole of the Chief Secretary's new political torpedo was a mile long. But the length of the mile would depend on the policeman who walked it out, and if it were a short-legged policeman, and if the wind were in a fair way, and there was a loud-voiced Nationalist at the other end of the mile, the landgrabber would certainly hear his own condemnation. The right hon. Gentleman charged them, because they opposed this Bill, with being the enemies of Ireland, and of being the irreconcilable opponents of everything that made for peace and happiness in Ireland. But a very fair opportunity was undoubtedly given by them to these evicted tenants to re-enter their farms when they passed the 13th clause of the Act of 1879. Then why

did not more tenants avail themselves of it? Because their own leaders forbade them. Those leaders were determined that the evicted tenants should not go back to their farms except under triumphal arches erected by themselves. How did the leader of the Plan of Campaign treat that clause? He asked the particular attention of the House to this matter, because it showed that it was not the fault of the landlords that the vast majority of the evicted tenants were not now back in their farms. He should first remind the House that when the hon. Member for Mayo gave advice to the people of Tipperary, which was not supposed to be absolutely legal, he refused to stand his trial, and went on a yachting excursion with a friend instead of attending at the Court-house. He was glad to find that gratitude had not altogether fled from Ireland, because he saw that the son of the gentleman who took the hon. Member for Mayo on that yachting expedition got, the other day, an office worth £800 a year from the Corporation of Dublin. But in the end the hon. Member for Mayo did surrender, and he happened to be in prison when this 13th clause of the Land Act of 1891 was passed by the House, or, at any rate, he was in prison during part of the time in which evicted tenants could get back into their farms under that clause. When the hon. Member came out of prison the first thing he did was to make a speech at Dungarvan, in which he warned the tenants against availing themselves of the opportunity which the 13th clause gave them of re-entering their farms. He told the meeting that he was ashamed and sorry to hear that bids were reaching the landagents from all quarters for those empty farms—

"My advice to the tenants," he said, "is this: Be very slow to purchase your farms, or to have anything to do with this Land Act until after the General Election. Trust to your own exertions in your own localities. Abstain from taking those farms, and do not purchase at present."

Here was an opportunity given to the tenants to re-enter their holdings; and the deliberate advice of the hon. Member for Mayo—who had learned nothing by his incarnation—was that those unfortunate people should remain as they were in Land League huts on the hillsides looking at their old farms, and not go back to them as owners under the Land Act of 1891.

Colonel Saunderson

Therefore, he thought he was right in saying that the blame for the present condition of the evicted tenants should fall on the heads of hon. Gentlemen below the Gangway, and especially on the heads of the hon. Members for Mayo and Cork, who by the Plan of Campaign became the greatest evictors that Ireland had ever seen, and only for whom there would never have been any necessity for this Bill. The Government would never have thought of bringing in this Bill were it not for one class of evicted tenants, and one class alone—the tenants known as the “Campaign tenants.” It was to help those tenants that the Bill was introduced. Hon. Members below the Gangway were pledged up to their eyes that their chief endeavour would be to get a Bill of this kind passed into law. He read in a Tipperary newspaper that—

“William O’Brien, whose word is as good as a millionaire’s bond, and whose pledge is the nation’s sheet-anchor, has guaranteed those tenants who manfully have resisted the assault of Lord Barry-no-more.”

Something had happened to that anchor recently; it had been badly damaged, and unless the Members for Cork and Mayo could prove to the evicted tenants that they had done something to redeem their promises, that anchor would finally be dragged out of the sea of Irish credulity. It was said to be a good thing to die for one’s country; but he did not think the evicted tenants found it was a good thing to starve for their country. He asked, was it worth while for hon. Members below the Gangway, for the sake of carrying on their political campaign, to condemn those unfortunate people to lives of misery and wretchedness instead of leaving them in peace and plenty on their farms? It was said the Plan of Campaign had reduced rent. Nothing of the kind. The hon. Member for Mayo himself, at Limerick Junction, stated it was not at all a question of rent that caused the Plan of Campaign to be started, but that it was done for a purely political motive. In order to carry out that political purpose the hon. Member went through the length and breadth of the land and forced unwilling men to take a course in leaving their farms which they would never have taken unless under the strongest compulsion. To make an Irish patriot of an Irish tenant was not an easy thing. He required to be propelled from behind and

allured in front. The hon. Member for Mayo supplied the propelling power, and the allurements were the siren voice of the right hon. Gentleman the Member for Bradford (the President of the Local Government Board), who promised that a fortnight after a Liberal Government was in Office all the evicted tenants would be restored. Many of those evicted tenants had gone back under settlements with the landlords, and were now described as traitors to the cause and unworthy of the name of Irishmen. He opposed this Bill, because he did not believe it would be good for Ireland. In fact, he believed it would supply in the future a lever to the hands of Irish agitators, to arouse an agitation in Ireland more dangerous than any they had experience of in the past. What hope of finality had the Government got, even if they passed their Bill? If there was any hope that Ireland would become peaceful and contented under the Bill, there would be a great strain brought to bear on him and his colleagues to support even a measure they thought so hopelessly bad as the measure before the House. But there was no prospect of finality, even if they passed the Bill. The hon. Member for Mayo had taken to making periodical visits to his (Colonel Saunderson’s) constituency recently, of which he was very glad. He addressed his constituents the day after the hon. Member for Mayo’s last visit to North Armagh, and he was able to talk with great eloquence for over an hour on the speech of the hon. Member. In that speech the hon. Member for Mayo made a statement which he (Colonel Saunderson) believed to be perfectly true, and which ought to be a warning to every Government that sat on the Treasury Bench. The hon. Member for Mayo said, speaking on the Land Question—

“If we get Home Rule we will settle all those matters very soon; but if the Tories ever get back into power before we get Home Rule, I believe there will be one of the biggest land agitations that has ever been seen yet.”

No man could be on that subject a more perfect authority than the hon. Member for Mayo, who had conducted one of the greatest land agitations that these countries had ever seen; and the hon. Member now declared that if the Tories got back to power before hon. Members below the Gangway got Home Rule, another agitation would arise in

Ireland greater and more terrible than any that had gone before. What did that mean? It meant a renewal of those old scenes of crime and outrage and confusion which had made Ireland a by-word amongst the nations. Therefore, there was no finality and no prospect of peace in Ireland even if the Bill passed. In opposing the Bill, he and his Colleagues would meet with the approval of all the tenants in Ulster who followed them; and he believed they would meet with the approval also of the great majority of the tenants in the other parts of Ireland, because a Bill like that shook the foundations on which every tenant held the property in his farm. It was said that he and his Colleagues were doomed to extinction. That was quite possible; but even though they might belong to a fallen class, this consolation at any rate they would have, that they had done their best when the opportunity arose to destroy and defeat a measure which could justly be described as a measure to pay Irish criminal conspirators, out of the spoils of the Church, the wages of iniquity.

*Mr. W. KENNY (Dublin, St. Stephen's Green) said, he rose to second the Motion of his hon. and gallant Friend that the Second Reading of this Bill should be taken three months hence. Having regard to the monstrous provisions of the Bill introduced, and having regard to the immoral and inequitable principle embodied in it, he could not conceive how any Unionist, be he landlord or be he not, could take any other course but to move a direct negative. The Chief Secretary to-night, at the outset of his remarks, made some observations with reference to the change which he said the tactics of the Opposition had undergone with reference to the Motion for the rejection of the Bill. The right hon. Gentleman referred to the Motion that had been put on the Paper by his hon. Friend the Member for North Armagh (Colonel Saunderson), and said that the hon. and gallant Gentleman in taking the course he had adopted was taking a retrograde step, which was a deliberate retreat from the 13th section of the Act of 1891. With the permission of the House he would like to say one or two words with reference to the position of the Unionists with regard to that 13th section of the Act of 1891 and the

position they occupied to-night with reference to the Bill of the right hon. Gentleman. When the right hon. Gentleman introduced the Bill on the 19th of April last he commented upon that 13th section of the Act and said that it would be futile to attempt to solve the question on the lines of Section 13 alone without the principle of compulsion. On behalf of gentlemen who sat on those Benches with him, and on behalf of the Ulster landlords, he thought he might say that they were perfectly willing to have the 13th section of the Act of 1891 re-enacted so as to give to any evicted tenant the benefits provided by that section. What were the benefits provided by that section? Without its aid the landlord had the right at any time he liked of reinstating any evicted tenant; he could put him back and place him in a position that would enable him to become a purchaser under the Land Purchase Act; but in reinstating him he would put him back on the land as a present tenant, conferring upon him the rights of present tenants, which included the right of fair rent and fixity of tenure in the soil. Under the 13th section the status of a tenant could be conferred on him without actual reinstatement. The landlords of Ireland—he did not speak in their name, but as one interested in the land question in Ireland—were perfectly willing that that section should be re-enacted without any time limit. The section as it stood limited the period within which the tenant might apply to purchase to six months, but there would be no objection to that section being re-enacted without any time limit. It was idle for the Chief Secretary to say that in taking the position which they had taken to-night there was any retreat from that 13th section. The Motion for the rejection of the Second Reading was simply adopted because the Chief Secretary, in his speech on that occasion, said it would be futile to consider the 13th section unless the principle of compulsion was attached to it. The Chief Secretary to-night referred to the principle of compulsion, and said he would be able to find precedents throughout the Land Acts for the principle of compulsion embodied in the Bill now before the House; that the whole code of the Land Acts was saturated with compulsion.

MR. J. MORLEY: Hear, hear!

Colonel Saunderson

MR. W. KENNY said, the right hon. Gentleman said "Hear, hear!" but he (Mr. Kenny) must say he was considerably astonished when he, for the first time in his life, heard it asserted that the Land Acts of 1881, 1885, 1887 were saturated with compulsion. He admitted that into one Act the principle of compulsion did come in a modified way—namely, in the Redemption of Rent Act. When the right hon. Gentleman cited cases in which he contended an obnoxious tenant could be forced on the landlord, what were the clauses he referred to? They were the Purchase Clauses of the Act of 1881.

MR. J. MORLEY: I said the Free Sale Clauses.

MR. W. KENNY: Well, the Free Sale Clauses. What did they find there? Only a transfer of the existing tenancy; but, not, as in the Bill before the House, the introduction of a person who was a complete stranger to the holding, and who had no legal or equitable right of any sort. In the Act of 1881 they did not find the introduction of any person in that position into the holding or forced upon the landlord. In the Redemption of Rent Act there was an existing tenancy, also an existing holding, but they did not find the landlord in possession of that holding; they found a long leaseholder, or, it might be, a person holding under a fee farm grant, and under the Redemption Act he might purchase his rent, and if the landlord refused he was allowed to apply to the Land Court to have a fair rent fixed. Was there any analogy there to the Bill that was now before the House, which sought to force upon the landlord a person who had no legal or equitable interest in the holding? The Chief Secretary, in the course of his speech, referred to the transactions of the Landed Estates Court in Dublin, and he told the House, that the Judge of that Court, Mr. Justice Monroe, had on many occasions reinstated the tenants in their homes. In reinstating the tenants in their holdings did he reinstate them as present tenants? No; he made temporary lettings to them, which, by the 58th Section of the Act of 1881 excluded them from having a fair rent fixed or of availing themselves of any of the provisions of that Act. These were the precedents which the Chief Secretary said were precedents for his Bill of 1894, and which he said embodied the principle

of compulsion contained in this Bill. As he had said, the statement of the right hon. Gentleman had certainly caused him very great surprise, because he could not find that in a single one of the instances the right hon. Gentleman had taken was there any attempt to force a mere outsider, and, as he contended, an insolvent, and, in some cases, a criminal outsider, upon the landlord whom he had defrauded. What did the present Bill propose to do? As he said, he was not particularly interested in the landlords of Ireland. He was not a landlord himself, he did not own a single rood of land in Ireland; but he was, however, one of a section in this House who did believe the landlords of Ireland had been sufficiently plundered already. There were other parties in the House who believed the landlords had not been sufficiently plundered. How did the land question at the present moment stand? They had the authority of the Leader of the Irish Members who sat below the Gangway, the hon. Gentleman who represented Longford (Mr. Justin McCarthy), for the statement that the

"feudal powers of the Irish landlords, the unexampled execution of arbitrary eviction, had been shattered and destroyed, and that the two essential principles of the Land League had become the law of the land."

That was the statement of the hon. Gentleman the Member for Longford (Mr. Justin McCarthy), and he thought they might take it from that pronouncement that the hon. Gentleman regarded to a large extent, the agrarian question in Ireland, the question as between landlord and tenant, as practically at an end. What was the object of the present Bill, and what class of persons in Ireland was it intended to benefit? It was not brought in in the interests of the evicted tenants alone, it was brought in, he contended, in the interests of another party altogether. It was brought in in the interests of the two hon. Gentlemen—the Member for Cork (Mr. W. O'Brien) and the Member for Mayo (Mr. Dillon), and for the purpose of saving their credit. It was not for the purpose of benefitting the old evicted tenant, the tenant who was evicted before the Plan of Campaign. Anyone who read the observations of the Chief Secretary in introducing the Bill on the 19th April last would see the right hon. Gentleman disregarded to a large extent the claims of

those tenants evicted before the Plan of Campaign, because the right hon. Gentleman's observations from beginning to end were directed to the Plan of Campaign tenants, and to these alone. The right hon. Gentleman said on that occasion that the Plan of Campaign tenants were the main centre of the mischief in Ireland, and it was for the benefit of these tenants—

MR. J. MORLEY ; I did not say so.

MR. W. KENNY said, perhaps the right hon. Gentleman would agree with him in this statement, that the Campaign estates were the centre of the mischief in Ireland. But they had other pronouncements besides those made by hon. Gentlemen below the Gangway, and he would like to know whether this Bill was brought in for the purpose of carrying out any pledge given to the Plan of Campaign tenants in Ireland by a present Cabinet Minister. The President of the Local Government Board (Mr. Shaw-Lefevre) visited Ireland some years ago, and what did he tell them? He said that within a month after the Liberal Party was in power every emergency man would have fled the country, and that every bogus tenant would have been replaced by the original tenant. That was a statement made by a gentleman who was one of the advisers of Her Majesty at the present time, and he would like to ask the right hon. Gentleman, if he spoke, as he dared say he would, in this Debate, whether he was prepared to stand by the language he used in 1889? He would like to ask him one further question. The Plan of Campaign had been condemned as an illegal combination by every Judge in Ireland, and he would like to ask the right hon. Gentleman whether he was a subscriber to the Plan of Campaign funds, and whether, when he subscribed, he was aware it was an illegal combination? His contention to-night was that this Bill was not brought in in the *bonâ fide* interest of either the Plan of Campaign tenants in Ireland or the other tenants who were evicted before the Plan of Campaign was established, but that it was a Bill brought in with a purely political object. They now knew, from confessions made by hon. Gentlemen opposite, that the Plan of Campaign was a purely political engine, that it was started for the purpose of embarrassing the then Government and for

the purpose of putting the gentlemen who now sat on the Treasury Bench into the position they now occupied. That was not an object that would commend itself to the House. The hon. Gentleman the Member for Mayo (Mr. Dillon) told them that a number of the Plan of Campaign tenants were tenants who were able to pay their rents. They all remembered what the hon. Gentleman said at Glenbeigh, that he could point out tenants who could pay their rent, but would not, because he told them not to. That combination, it was admitted, in a number of estates where the landlords were in small circumstances and unable to resist the pressure brought against them, was successful, and stimulated by this they attacked another estate—namely, the Lausdowne Estate, because they thought that as the owner occupied a high position in the service of the Queen, they would drive him into terms with them. The pressure, however, was resisted, and resisted successfully. There was one other matter in connection with this Bill that he should like to call attention to. Some people thought that the object of the Plan of Campaign, and the events that followed from it were not mixed up with any criminal combination. There were two classes of evicted tenants, the evicted tenants who came into the criminal class, who were the promoters of the combination and who, after the evictions, assisted to boycott the farms and created derelict farms throughout Ireland. There was another class of evicted tenants, for whom there was, and perhaps there ought to be, a great deal of sympathy—namely, the unfortunate tenants who had to follow the lead of these men from fear of being boycotted and intimidated. These were the men for whom the landlords of Ireland, he had no doubt, had great sympathy, and that was the class of persons reinstated by the landlords under the provisions of this 13th section of the Act of 1891. The question of outrage, or no outrage, the question as to whether or not there was a criminal class amongst these evicted tenants was no academic question. Could it be said for a moment that the footsteps of the promoters of the Plan of Campaign were not followed by crime in every direction? The Chief Baron of the Exchequer, in a case heard before him in Ireland in 1890, said that it was impossible to arrive at any conclusion but one,

Mr. W. Kenny

that it was conclusively proved there was a conspiracy existing to induce tenants not to pay their rents, which contemplated boycotting, assaults, and violence of every description. What did the present Bill propose to do? It proposed to allow every evicted tenant whose tenancy had been determined since 1879 to apply to these three arbitrators, to be reinstated in his holding with the right of the landlord to insist if he thought fit that the evicted tenant should purchase the holding. That was the application of the principle of compulsion to the case of the evicted tenants, subject certainly, as the Chief Secretary said, to the right of the arbitrators, not to entertain the application if they thought right. It placed within a category a certain set of people who were to be entitled to the benefit of the Act, and the set of people, as he had said, consisted of two sections, one a section who might be the criminal leaders of the Plan of Campaign on a particular estate, and the other individuals who were unable to resist the pressure brought to bear upon them. To come to the provisions of the Bill. A very serious and arguable question might arise upon the 1st clause. The House would remark that it commenced with a declaration that, where the tenancy of the holding in Ireland had been determined since the 1st of May, 1879, the former tenant or his personal representative might, within one year after the commencement of the Act, apply to the arbitrators under the Act to be reinstated as tenant. If not too technical in his remarks, he would point out that the term "holding" might include any holding which was excluded by the 58th section of the Act of 1881. If it were to be the case that any tenant in Ireland was to be entitled to petition for reinstatement and was to be reinstated by the arbitrators then they would have not only purely agricultural tenants, but also tenants who had been evicted from dwelling-houses, town parks, demesne lands, and large pastures entitled to the benefit of the section. [Mr. DODD: Why not?] An hon. Member asked "Why not?" and his answer to that was that the Land Act of 1881 was intended to benefit purely agricultural tenants and not such tenants as the holders of demesne and town park lands. One of the sections of the Act absolutely excluded tenants of this character from the opera-

tion of the Bill. The question was not arguable.

MR. DODD: My point was that I could not understand why the occupiers of dwelling-houses should not be placed on the same footing.

*MR. W. KENNY said, he did not understand the nature or object of the hon. Member's interruption. The proposition now seemed to be that not only in the agricultural districts but also in the towns and cities of Ireland there should be in force an Act of Parliament enabling any one who had been evicted for non-payment of rent, and who was in the position of an absolute and complete stranger to the holding to be reinstated. The result would be that men who had been evicted from dwelling-houses, town parks, demesne lands, or large pasture holdings would be reinstated as present tenants side by side with men who, as they had not gone through the ordeal of eviction, had no such status under the Act of 1881. Did the right hon. Gentleman contemplate such a result as that? If he did they would be putting side by side throughout the agricultural districts of Ireland two sections of the community—one class of men who had no rights unless they had gone through the ordeal of eviction; and the other class, men who had been honest and solvent rent-paying tenants. There was another question arising on this section which he would commend to the attention of the right hon. Gentleman. The first section of the Bill provided for the reinstatement of tenants whose tenancy had been determined since 1879. A tenancy was deemed to be determined if the landlord had purchased the tenant's interest, and yet, under this Bill, the tenant who probably had been paid for his interest in hard cash would be entitled to apply for reinstatement. Tenants who had come to terms with their landlords, and had voluntarily surrendered their holdings in lieu of arrears of rent, and who possibly had left the country, would also come under the Bill. The words of the clause were exceedingly vague. Then the arbitrators were authorised to make an order for reinstatement if there was a *prima facie* case for reinstatement owing to the circumstances of the district, or the circumstances under which the eviction took place, or some other cause appearing to them sufficient. He did not think it possible to introduce more vague or

general drafting into any Bill. The right hon. Gentleman professed to have found a precedent for his proposals in the Acts of 1881 and 1891. But was there any such precedent, and had the right hon. Gentleman made inquiries of the Irish Land Commission as to whether or not the Commissioners had been able to act on the vague expressions contained in the Act of 1881? What were the "circumstances of a district" that were to influence a Board of Arbitrators? Was the refusal of a landlord to accept a year's rent in settlement of five or six years' arrears to constitute such a circumstance? He ventured to think that arbitrators seeking to act on instructions so vague as these would be utterly at sea. The Report of the Mathew Commission found that the Plan of Campaign was adopted on the Smith-Barry property on sentimental grounds alone—namely, because of the action of the hon. Member for South Hunts in regard to the Ponsonby estate. He would like to ask the Chief Secretary whether, under the words "some other cause appearing to them sufficient," the arbitrators were to take into consideration the action of the hon. Member in regard to the Ponsonby estate. If that were so, it would be a most monstrous thing that three gentlemen who knew nothing of the circumstances were to determine that the conduct of the hon. Gentleman in taking the action he did in regard to the Ponsonby estate was wrong. The right hon. Gentleman in creating this Board of Arbitration was constituting a new tribunal in Ireland. They already had a Landed Estates Court, and a Land Commission dealing with land questions, and now a third body was proposed. When the Bill was introduced last year one of the hon. Members for Leitrim suggested that the question of the evicted tenants should be dealt with, not by a new or separate tribunal, but by the Land Commission. That proposal had not, however, found favour, and so the Chief Secretary proposed to create this new body, and to give no power of appeal against its decisions. He thought it would be most unfortunate that they were to have absolute and final power, and that their decision should not be subject to appeal. He submitted that that was a very grave defect in the Bill. Appeals were given from the Sub-Commissioners to the Land Commission on questions of

value, and there was power of appeal on questions of law from the Land Commission to the Court of Appeal in Ireland. He thought it was monstrous to make the decisions of this new Board of Arbitrators final. His next point arose on the 3rd section, which provided for the case in which a new tenant had come into the holding. They might call the new tenant a planter, but he had been adopted by the landlord, and in almost every case had paid his rent as an honest man. That new tenant might object to an order for reinstatement, and thereupon the arbitrators were not to make an order. What would be the future position of the tenant? If he chose to remain in the holding he would do so at great risk. The Chief Secretary had said he had introduced the Bill for the purpose of healing a deep sore in Ireland. Did the right hon. Gentleman think that in cases where a new tenant refused to go out his life would be happy or that the Bill would not create the most intense dissatisfaction amongst these new tenants? They had had recently a recrudescence of the agitation in Ireland against men who were termed "grabbers"—men who were said to have grabbed farms. Numerous question had been of late addressed to the right hon. Gentleman on the subject, and speeches of a violent character had been made—some of them by Members of that House—in different parts of the country against those men, and the substance of the speeches had been that the life of the grabber or planter must be made too unhappy for him to remain in his holding; these men were to be driven out, though they might have legally and honourably held possession for several years. Did the right hon. Gentleman contemplate that result from the passing of his Bill? The Nationalist papers were day after day teeming with articles on the question of grabbed farms, and the view seemed to have presented itself to hon. Members that the land-grabber was the principal obstruction to the legislation of the right hon. Gentleman. He held in his hands a Wexford paper which took that view, and which further blamed the people for not having been more in earnest, and added that they ought to make it hot for them, as if they did not take action the land-grabber would remain in possession of the evicted farms. What was the meaning of that?

It was that the unfortunate man who had taken an evicted farm and had been spending his money upon it for the last four or five years was to have it made hot for him if he dared to remain in possession. He was told, in fact, to make way for the dishonest tenant. The Bill proposed not alone to reinstate the evicted tenant, but to place him in a position wholly different from that occupied by the tenant who purchased under the Acts of 1885 and 1887, or under the 13th section of the Act of 1891 by subsidising the man who had gone through the ordeal of eviction. The landlord was to get a sum not exceeding two years' arrears of rent, and the tenant was to pay or secure the rent for one of those years, while the State was to secure, or advance, the other, and to assist him by enabling him to rebuild such dwellings on the holding as had been destroyed.

MR. CRILLY : Burnt down.

***MR. W. KENNY :** "Burnt down," if the hon. Member wished to use the term. At any rate, the State was to advance the tenant a sum of £50 for rebuilding purposes, and he ventured to say that such a provision would create great discontent and dissatisfaction in the minds of all the neighbours of those reinstated tenants who had endeavoured to pay their rent honourably from year to year. The Bill as it stood was open to many other criticisms. The right hon. Gentleman had told them that night that he intended to increase the sum to be placed at the disposal of the arbitrators from £100,000 to £250,000. Why had he done that? They had it on the authority of the right hon. Gentleman that there were 3,800 evicted tenants in Ireland at the present time who might seek to avail themselves of the benefit of the Act. The pressure of that circumstance no doubt accounted for the increase in the amount.

MR. J. MORLEY : That is the maximum number.

MR. W. KENNY said that, at any rate, provision would have to be made for 3,800 tenants. Was this Bill meant to pass? Hon. Members after that Debate would come to the conclusion that there was a great deal of unreality in the effort to pass it. He felt confident that few people believed that the measure would pass, or was even meant to pass. Even the evicted tenants themselves did not believe it was going to pass. He no-

ticed the other day an account of an inquest in Cork on the body of a man—an evicted tenant, who had died under an archway, having refused a home which had been offered to him, and had eventually succumbed to exposure; and the coroner, in putting the case before the jury, asked them to consider whether the tenant was under the hallucination that Mr. Morley was going to restore the evicted tenants. If this Bill should become law its main effect would be to create discontent and irritation in the highest possible degree. He agreed with the hon. and gallant Member who moved the rejection of the Bill that there was no finality whatever in it, and that instead of healing the wound of which the Chief Secretary spoke, it would only widen and deepen it, and would create greater friction than had ever existed in Ireland, not only between landlord and tenant, but also among different sections of Irish tenants.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Colonel Saunderson.*)

Question proposed, "That the word 'now' stand part of the Question."

MR. LOCKWOOD (York) said, this question was one in which he had for a long time taken a deep interest, and it was one with which he had become intimately connected in the course of his professional career. In 1888 when, with others, he was engaged in the long inquiry known as the Parnell Commission, he became familiar with the terrible history of Irish distress and with the terrible tale of Irish evictions. He was not at all surprised to find that the Chief Secretary was in considerable doubt as to how the Opposition intended to deal with the measure, for they were under the impression that the Bill was to be met by an Amendment which began with words with which he felt sure every true friend of Ireland, upon whichever side of the House he sat, must thoroughly sympathise. The words were—

"That whilst willing to consider any just and practicable proposal for the reinstatement of the evicted tenants,"

and then the Amendment went on to express an opinion in a sense hostile to the measure. With that criticism and that

expression of hostile opinion they did not, of course, agree; but they admired the courage which had distinguished an hon. Member sitting on that side of the House, and which had enabled him to stand up for that which he believed to be justice in this matter—that the proposal submitted was one which could not be met merely with a cold negative of the hon. Member for the St. Stephen's Green, or be disposed of by the more warlike demonstration of the hon. and gallant Member who moved the rejection of the Bill. He recognised, and he thought the House would recognise, that there was an expression of sympathy in the words he had quoted for which, whether they agreed with the conclusion to which the Amendment would lead or not, they ought to feel thankful. He felt sure he was prepared, if it had fallen to his lot to meet the measure with this Amendment, to deal with the question in that spirit of conciliation which was the only true spirit in which it could properly be approached. But they were met here by a negative and nothing else. They had had a speech from the hon. and gallant Gentleman the Member for North Armagh, and one from the hon. and learned Gentleman for the City of Dublin, in which they were invited simply to negative the proposal of the Government, and no solution—no suggestion of a solution—of these difficulties was offered by either of these gentlemen. However much they might differ with the hon. and learned Member, he did in his speech refer to the Bill and attempt some criticism of it; but the hon. and gallant Gentleman, he ventured to say, had established a record, for he had criticised the Bill without referring to a single line of it, and where he had failed in detailed criticism he had made up in that wealth of invective which belonged solely to gentlemen in his honourable profession. To deal with some of the criticisms of the hon. and learned Gentleman he thought, first of all, he was in error when he said that the Chief Secretary for Ireland in dealing with Section 13 of the Act of 1891 claimed for it that it was on all-fours with or went as far as the Bill with which they were now dealing. The right hon. Gentleman had said nothing of the kind. What he had said if he (Mr. Lockwood) had rightly understood him, was, "The principle of Section 13 of the Act of 1891 sanctions

the policy of my Bill. I am not to be reproached with exceptional policy in this regard, because in this 13th section of the Bill of 1891 you have that very policy foreshadowed which my Bill will endeavour to complete." The right hon. Gentleman's answer, he took it, would be, "I do not claim that my Bill is only co-extensive with the 13th section of the Act of 1891." They were grateful to the right hon. Gentleman for going beyond the four corners of that section, for experience had shown that it was not in itself sufficient. If it had been the present measure would have been unnecessary. Then complaint was made about thrusting an obnoxious tenant upon the landlord. The hon. and learned Gentleman must have forgotten the procedure of the Bill—he must have forgotten that before even the arbitrator could be called on to decide as between the landlord and tenant, that the tenant had to make out what was called in the Bill a *prima facie* case, and if he failed to make that case out to the satisfaction of the arbitrator his case could never be heard. When a *prima facie* case was made out then the third sub-section provided procedure which he should have thought ample to secure any landlord from having a tenant thrust on him in a way that would render reinstatement an injustice. The hon. and learned Gentleman said that under the Bill the landlord might have forced upon him a mere "outsider." Who did the hon. and learned Member mean when he spoke of an outsider? Did he mean a man outside his tenancy? He was in that sense an outsider. He was outside his tenancy, and in many cases it was a cruel shame that he was outside it. Did the hon. and learned Gentleman use this term "outsider" as an epithet of reproach? If he did it was in that sense and under those conditions most inapt. The man was no outsider. In nine cases out of ten he was a man who had lived his life there and had followed others who had lived their lives there. The hon. and gallant Member might have a very keen knowledge of these Acts of Parliament, but he had told them very frankly that he had no connection with the land. That might explain his having so little knowledge of the people who had dwelt upon it. Then the hon. and learned Gentleman complained of the Bill. He said it was com-

pulsory, and, as being compulsory, was apt to work injustice. He (Mr. Lockwood) had no wish to weary the House by recalling to its recollection what was to be done before the tenant could be reinstated. But it should be remembered that after establishing a *prima facie* case the 3rd sub-section of Clause 1 applied. That sub-section was in these words :—

“If the landlord so shows cause the arbitrators shall hear the parties, and after consideration of the question whether the conduct of either landlord or tenant has been unreasonable, or whether the one has unreasonably refused any proposal made by the other, may dismiss the petition or make the order absolute subject or not to conditions to be performed by either landlord or tenant, and generally may make such order in the matter as the arbitrators may think most consistent with justice.”

The hon. and learned Gentleman would, he was sure, admit that if this procedure was honestly carried out and these duties were faithfully discharged by the Gentlemen who were to be appointed arbitrators under the Bill the word compulsory could not be applied to the reinstatement. When the hon. and learned Gentleman was criticising the Bill he (Mr. Lockwood) had waited in vain to hear a criticism of the names the right hon. Gentleman the Chief Secretary had disclosed as being those he proposed to submit to the House as worthy of the office created by the measure. The hon. and learned Gentleman had not made a single suggestion that it was to be supposed for a moment that these gentlemen were not perfectly honest or would not properly carry out their duties. What was the hon. and learned Gentleman's next grievance? He objected to the £50 for the rebuilding of houses. This was rather surprising. He (Mr. Lockwood) should have thought that the hon. and learned Member would have paused before in any way inviting public attention to the circumstances which rendered that provision necessary. Anyone who took the trouble to read the account of the wanton and indefensible destruction of houses in connection with these evictions could but feel that if these things were done under the name of law, they were acts calculated to bring the law into the direst contempt. He did not know that he quite appreciated the relevancy of the reference to the Coroner's inquest which the hon. and learned Member had referred to. He did not know what the result of the inquiry was, or

what application it had to the question before the House. He came now to what he would call the record Second Reading speech of the hon. and gallant Member (Colonel Saunderson). The hon. and gallant Member's speeches began, as his speeches generally did begin, with something about himself. The hon. and gallant Member said he ought not to be called an irreconcilable, because he voted for the Land Act of 1870. But what place did the hon. and gallant Gentleman represent in 1870? The hon. and gallant Gentleman was reconcilable, and voted for the Land Act of 1870 when he was Member for Cavan, but he was irreconcilable, and voted against this Bill when he was Member for North Armagh. The hon. and gallant Gentleman said he did not intend to deal with the details of the Bill. That promise was given early in his somewhat discursive observations, and it was a promise which was rigorously kept till the time he sat down. The hon. and gallant Gentleman, speaking not in detail but at large on the subject of the Bill, said it “was the most extraordinary monstrosity that had been produced in this or any other Parliament.” Let him (Mr. Lockwood) give a friendly word of warning to the hon. and gallant Member. Let him not get rid of all his superlatives now; otherwise he would have nothing left for the Home Rule Bill. Then they were told that if this Bill passed there could be no prospect of peace; but what prospect of peace was there if it did not pass? The evicted tenants in Ireland were looking forward to this measure with an anxiety which no language could adequately describe. It was an expectancy which, if it were not realised, must have disastrous results. The hon. and gallant Member frankly told the House that this Bill should not become law. How did he know that? He (Mr. Lockwood) supposed that the hon. and gallant Gentleman had the confidence of “another place.” The House would note, and he thought the country would note, that the Mover of the rejection of the Bill warned the House that even if they passed the Bill it would be rejected in another place. He (Mr. Lockwood) hoped with all his heart that wiser counsels might prevail; but if not he would ask the hon. and gallant Gentleman what then would be the prospects of peace?

COLONEL SAUNDERSON: Where?

MR. LOCKWOOD: Either in Ireland or in England. He came now to what he might venture to call the grand *finale* of the hon. and gallant Member's speech. The hon. and gallant Gentleman told hon. Members that they were called upon to pay Irish conspirators the wages of iniquity out of a despoiled Church. Yes, but there was no objection to despoiling that Church when the money was to go into the pockets of the Irish landlords. It would form an interesting subject of inquiry to ascertain how much of the money of that Church had gone into the pockets of the Irish landlords.

COLONEL SAUNDERSON: The hon. and learned Gentleman does not seem to be aware that the money under this Bill is to go into our pockets.

MR. LOCKWOOD said, that was just what he was coming to. He was about to tell the hon. and gallant Gentleman not to be downhearted, for this money would come to him as well. He was glad to see that the hon. and gallant Gentleman appreciated the position. Well, was there any justification for this last attack—namely, that the money was to go to pay criminal conspirators, and was to be taken from a despoiled Church? There were, it was said, two classes of tenants to be dealt with. The one class appeared to have the sympathy of the hon. and gallant Gentleman, and the other class the hon. and gallant Gentleman said would have sympathy from none. These were the men who, notwithstanding the fact that they were in better circumstances themselves, had had some regard for their weaker brethren, and, seeing their hard lot had at great sacrifice to themselves hastened to assist them. Did the hon. and gallant or the hon. and learned Member think that the tenants of Ireland as a body would consent to a reinstatement one of the terms of which was to leave outside the pale of the arrangement the men who had stood beside them in the hour of their need? If the hon. and gallant and the hon. and learned Gentlemen thought that they little understood their fellow-countrymen. Why, on the Massereene estate the tenants had an abatement offered, which they would have accepted but for the fact that two ringleaders, as they were called, were left outside the proposed arrangement, and so the rest of the tenants refused to

be reinstated. All honour to them for it! It would be a disgrace, indeed, to the Irish tenants; it would be conduct of which he did not believe them capable, that they should consent, even if Parliament asked them to do so, to enter into their holdings and to leave still out in the cold the men who had made the greatest sacrifices for them in their time of need. It was said on the first reading of the Bill that to take the funds from such a source as that indicated in the Bill would amount to sacrilege. Certainly no such language as that had been used on the present occasion. The money was, in fact, to come from a fund which in 1880 supplied £1,500,000, the greater proportion, if not the whole, of which found its way into the pockets of the landlords. On other occasions the same fund had been drawn upon, and the landlords had benefited from it as they would benefit in the present instance. But was it an uneconomic act on the part of the Government to propose this Bill, even if the matter were put upon the lowest ground? What had been the cost to the country of the evictions that had taken place since 1879—the cost of the attendance of the police, the attendance of the military, the arrests, the convictions, the maintenance of prisoners in gaol, the outdoor relief, and the grants under the Prevention of Crimes Act. The cost had been £115,418. Therefore, putting the matter on the lowest ground of pounds, shillings, and pence, the proposal was justified. By the passing of this Bill the landlords would benefit, the tenants would benefit, and the public would benefit. Who, then, was to prevent them from having it? The hon. and gallant Gentleman said "another place." Then let the House of Lords bear the penalties and the responsibility. The responsibility would not, however, he felt sure, rest upon the House of Commons, for he believed that House would pass the Bill by a large majority.

MR. CARSON (Dublin University): The hon. and learned Gentleman who has just sat down commenced his speech by reminding us that his interest in the country from which I have the honour to come was first inculcated by his connection with the Special Commission. If there is one thing more than another that I am personally aware of in connection with the hon. and learned Gentleman it

is this, that in any matter in which he is professionally engaged he is always sure to ensure a righteous verdict. When he reminded me that he had been engaged in learning the Irish Question as a professional advocate before the Special Commission, I was tempted to turn to the verdict of the Special Commissioners as to the motives and objects of the evicted tenants in Ireland, whom we are now asked by this Bill to restore to their holdings. Of course, Sir, if those tenants had been evicted because they were oppressed by the Irish landlords, that would be an aspect of the case with which many Members might sympathise. But what was the verdict which the hon. and learned Gentleman assisted in getting? It was that these evictions had been brought about by a criminal conspiracy and by illegal means, with the object of expelling from Ireland those landlords who are styled the English garrison. The hon. and learned Member says that his interest in this question of the evicted tenants was aroused for the first time—

MR. LOCKWOOD: I did not say the first time.

MR. CARSON: Well, that it was aroused by the Commission, and that that was his reason for addressing the House—because there was an illegal conspiracy to expel Englishmen from Ireland. I am not going to follow the speech of the hon. and learned Gentleman. He is always eloquent, always able, and, above all things, always good-natured. Certainly, as far as his good-natured chaff went, I had not any reason for wishing to interfere between him and the House. I turn to the speech of the right hon. Gentleman the Chief Secretary for Ireland (Mr. J. Morley). The right hon. Gentleman did me the honour of referring to the observations I made on the introduction of this Bill by him in April last. The right hon. Gentleman insinuated to the House that in some way or other I had changed my mind or my position in regard to this Bill. I have done nothing of the kind. What I said then, and what I say now, I will read to the House. I said—

"I know enough of Ireland to say that I believe and admit that the question of the evicted tenants, whether they were rightly or wrongly evicted, and whether they were evicted for the purpose of advancing a par-

ticular class of politics or not, that as long as it remains unsettled the question of the evicted tenants means a great deal with reference to the peace of Ireland."

I said that then, and I say that now; but why did the right hon. Gentleman stop there and not read the next sentence, in which I said—

"I do not wish it for a moment to be supposed I thought the right hon. Gentleman had proposed a satisfactory solution."

I said that then, and I say that now; and I do not see any reason in the world why the right hon. Gentleman should insinuate to the House or to anyone that I, at all events, have changed my position or changed my regard to this Bill.

MR. J. MORLEY: I never meant to insinuate that he had changed his convictions with regard to the Bill. What I meant and said was, that the substitution of the Resolution of the hon. and gallant Member behind him for the Resolution of the hon. Member for South Tyrone (Mr. T. W. Russell) meant that the Party opposite had taken a *non possumus* attitude, which the hon. and learned Gentleman had repudiated.

MR. CARSON: I do not know why the right hon. Gentleman quoted me in reference to the matter, if not insinuating to the House in some way or other I had receded from the position I ventured to defend on the occasion of the First Reading. But that is a matter of very little importance, and what I wish now to discuss somewhat in a serious way is the speech of the right hon. Gentleman, and the provisions by which he proposes to settle this question. I do say again, as I said on the First Reading, if the right hon. Gentleman had proposed a settlement of this question which I deemed fair to those parties who had been supporting and acting under the law in Ireland, I would certainly support him, but that is not the position unfortunately which he has taken up. The right hon. Gentleman, so far from wishing to support those who have acted under the law and in obedience to the law in Ireland, takes a position here as the champion of those who have resisted the law, and resisted it for political purposes. The right hon. Gentleman, I am glad to say, has not put his case upon any unreasonable or improper conduct on the part of the landlords of Ireland, or upon any

want of protection afforded to the tenants of Ireland under the Land Laws, and it is to be noted that while he proposes to ask the House to vote £250,000 for the purpose of restoring tenants who have no title to the holdings from which they have been evicted in Ireland, he does not suggest there ought to be any legal change in the law for the better protection of the tenants. The whole argument is that if this House is not prepared to yield to tenants who have been the dupes of a dishonest and immoral policy, if they do not do that you cannot vouch for the peace of Ireland. Why do I use the words "dishonest and immoral policy"? I will tell you why. One great statesman who sits on that Bench, the right hon. Gentleman the President of the Local Government Board, went over to Ireland in the time of Ireland's greatest agitation, and having got a pledge from Dublin Castle for his own personal safety—

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. SHAW-LEFEVRE, Bradford, Central): That is absolutely and totally false.

MR. CARSON: I accept the statement of the right hon. Gentleman. [*Cries of "Withdraw!"*] I said I accepted the statement of the right hon. Gentleman. What am I wanted to do more than that? [*Cries of "Apologise!"*] The right hon. Gentleman went down to these unfortunate tenants and gave a pledge on behalf of the Party of which he was an eminent Member that the moment they came into power—

MR. SHAW-LEFEVRE: I must again correct the hon. and learned Gentleman. I expressly said I spoke for myself, and I had no authority to speak for my Party.

MR. CARSON: Very well, then, I put it in this way: that he expected the peasantry of Ireland to draw a distinction between the right hon. Gentleman as a Member of the Liberal Party and as an ex-Member of the Liberal Cabinet. I make him a present of that. But, Sir, the right hon. Gentleman went down, at all events, and he gave his own pledge that within three months after the Liberal Party was restored to power—

MR. T. W. RUSSELL (Tyrone, S.): One month.

Mr. Carson

MR. CARSON: Within one month these tenants would be restored to their holdings. For two years they have been in Office, and the least one might have expected is that after such a pledge given to these tenants he would have tried to effect his object with his colleagues or that he would have resigned his office. But that was the last thing the right hon. Gentleman intended. And why do I refer to that? Because the right hon. Gentleman is the one man of all others sitting on that Bench who in 1882 came before this House and blamed the Irish landlords that they were not firm in enforcing their rights in Ireland, and he was the one man who got up and accused the hon. Member for Cork (Mr. Parnell), the Leader of the Irish Party, of having adopted a policy that was dishonest and immoral, and complained of the landlords not acting with more firmness in asserting their rights. And this hon. Gentleman is the same hon. Member who afterwards goes down, I think, to the County of Galway, and asks the ignorant Irish peasant to draw a distinction between what he said as a private Member and as a Member prepared to accept Office. What, then, is the whole argument of the right hon. Gentleman the Chief Secretary? He says, if we do not pass this Bill he cannot vouch for peace in Ireland, and the hon. and learned Member who has just spoken made one last appeal, and said, putting it on the lowest ground, we ought to consider the cost to the country. What does that mean—what does it all come to? It simply means this: that unless you pass a Bill, no matter how bad, no matter how unfair, if there is only sufficient disturbance of the peace in Ireland, you are bound to submit. So mob law is the foundation of a Liberal Government; rather submit to that than incur the necessary cost of preserving peace in Ireland. That is the view put forward by the right hon. Gentleman opposite, which is entirely in keeping with a great portion of his administration in Ireland, because he knows as well as I do there are tenants there who have taken farms who are living lives worse than the lives of galley slaves, because he dare not put the law in force against the wish of the Members below the Gangway.

MR. J. MORLEY: There is no foundation for an allegation of that sort.

MR. CARSON: We have argued it out before, and all I can say is that every day I receive letters from people in Ireland describing the most outrageous interference with liberty.

MR. J. MORLEY: Why did he not bring them before me?

MR. CARSON: I constantly do so; I brought them before the notice of the House on the discussion of his salary.

MR. J. MORLEY: Hear, hear!

MR. CARSON: He says, "Hear, hear!" but what did the right hon. Gentleman tell me on that occasion? He said, "What harm is done? True it is a man lost his trade, his windows were broken; true it is his servants left him, his smith would not shoe his horses, but what harm is done?"

MR. J. MORLEY: I did not say that.

MR. CARSON: Did he prosecute the person who did this thing? No, he said it would not be advisable to do so. Well, I pass on from that matter and come to the first statement that the right hon. Gentleman ventured to make in, I think, a spirit of confident assurance that did him credit, and which probably is the result of his holding office in the difficult position in which he now finds himself, and that is that he told this House seriously there was no new principle in the Bill.

MR. J. MORLEY: Hear, hear!

MR. CARSON: And he says, "Hear, hear!" I should like to ask him two questions, and two questions only. I should like to ask him when was it, by any previous Bill that he can refer me to, ever proposed to take the property of which a man was in occupation and give it to another, and that too without compensation? The right hon. Gentleman says the Act of 1881 was passed which kept on a tenant against the will of the landlord. True it was, but is not that a different thing from this, that where a landlord is in actual occupation of his own property and wishes to remain, the right hon. Gentleman should come forward and say, "Whether you like it or not, whether you are making money by

it or not, you must give up this property"? But that is not all, because the right hon. Gentleman goes on and says, "Yes; you must give up the property you are in occupation of, and must do so without compensation." I would like to ask the House what is the basis for seeking to put these people practically out of possession of their own property? There is only one argument by which you can put it before the House in a logical way, and it is this: you can say it is for the public good that these tenants ought to be restored to the holdings and the property of the landlord ought to be taken, and that is the only way in which you can argue it. You have not suggested any other reason, no harshness on the part of the landlords or defect in the land laws, because you do not propose to amend them, and therefore the only argument is that it is for the good of the public these tenants should be restored. I ask where is the precedent on the Statute Book that you are compelled to take property for the good of the State, and where it has been done without compensation? Here you do not offer a shilling for compensation. If property is taken for a railway or for any public object whatever, not only do you give compensation to the person from whom you take the property, but the compensation is assessed at a value over and above the market value, because you take it compulsorily. I venture to think the exclusion of the principle that you are to compensate to the fullest extent renders it necessary for everyone on this side of the House who respects the right of property to vote for the Motion moved by my hon. and gallant Friend. But there is another principle involved in this which seems to me to go far beyond anything ever attempted by this House before—namely, the time at which the right hon. Gentleman proposes to disturb those in peaceable possession of the property at this moment. Take the case of the new tenant. What is the proposition of the right hon. Gentleman? He says that a tenant put in possession 15 years ago may now be disturbed at the will of these arbitrators. Has the right hon. Gentleman got a precedent for that? I shall quote a precedent the other way. What does he say to the Statute of Limitation? Under that if a person is in possession for 12

years he becomes entitled to the absolute freehold, and the right hon. Gentleman says he has a right to go beyond that for three years and to disturb the relations existing and the rights of the man in possession. A more outrageous and unsupported proposal has never been submitted to the House of Commons or any assembly that has the most elementary ideas of the rights of property. I pass from that and come to a point referred to by the hon. and learned Member for St. Stephen's Green Division (Mr. W. Kenny). As the Bill now stands it applies to every holding of every kind and description in Ireland; as the Bill is now framed every tenant of a house in Dublin who has been evicted during the last 15 years has a right to apply to these arbitrators to be reinstated. I want to know does the right hon. Gentleman mean that; does he mean this is to apply to tenancies that are not agricultural; does it apply to town houses or not?

An hon. MEMBER: Look at the Definition Clause.

MR. CARSON: I have looked at that; I am not making my point without reading the Bill, and it is because I have looked at the Definition Clause that I am making my point. The Definition Clause says—"The term 'holding' shall have the same meaning as in the definition of the Act of 1881."

MR. SEXTON (Kerry, N.): Will that include town houses?

MR. CARSON: I say it will; the term "holding" in the Act of 1881 is "a parcel of land held by a tenant from a landlord," and that is the description of every house, for every house is built on a parcel of land. Hon. Members may laugh, but it is so. I put that point, whether a holding in a suburb, of 10 or 12 acres—

MR. T. HARRINGTON (Dublin, Harbour): Can the hon. and learned Gentleman give any instance where such land was held to be a holding under the Act of 1881?

MR. CARSON: No, Sir; and I tell him why, because there is another section in the Act which limits the application to holdings that are agricultural. And why was that section put into the Act of 1881? It was put in because, if it had

not been, the term "holding" in the Act would have applied to every single case in Ireland. And what is more—the hon. and learned Member need not suppose I am making this point on the spur of the moment—I have looked into it, and in the Act of 1887 I find the definition of "holding" says "but shall not include lands otherwise than those which are agricultural or pastoral, or partly agricultural or partly pastoral." But, as I said before, I am not making a special pleading point, and I wish to ask does he mean to apply it to every case in Ireland?

MR. J. MORLEY: Certainly not.

MR. CARSON: Does he mean to limit it to agricultural or pastoral, or partly agricultural or partly pastoral land?

MR. J. MORLEY: To the definition of the holding in the Act of 1881.

MR. CARSON: Then I ask, does he mean to exclude demesne lands? He does not know. Does he mean to exclude purely pastoral holdings, home farms, glebe lands? I am taking every one of these cases excluded by the Act of 1881, but apparently the right hon. Gentleman has not made up his mind.

MR. SEXTON: None of those are excluded from purchase.

MR. CARSON: Every one is excluded from fair rents.

MR. SEXTON: Not from purchase.

MR. CARSON: But let me show the importance of this point, and it is this. If you do not exclude these holdings, what will occur? These are not holdings to which a fair rent applies, and the landlord has the same right over them, and if you put them back to-morrow against the will of the landlord, he has the right to turn them out, and I ask the right hon. Gentleman does he mean to exclude them or not? He does not know. For a further reason this is a matter of importance. He proposes to set up a tribunal, and proposes to give it the power of deciding what comes within the Act, and we should like to know, before agreeing to the tribunal, what they will have to decide. We have had up to this, as the right hon. Gentleman well knows, different decisions by different Judges affect-

Mr. Carson

ing these points, and he and I, and many others, for the last 18 days have been investigating upstairs what are the meanings of all these decisions. We have had the advice of the highest legal advisers to assist us, and what I want to know is this: Is this mushroom Arbitration Court to decide all these points that have been hitherto left to these learned Judges and the Courts, and eventually to the House of Lords? All I can say is, I think the right hon. Gentleman has presented to the House a very rude scheme, when he is not able even to tell us what is the nature of the holdings in Ireland to which he means his scheme to apply. But the matter does not rest there. Not only can you not find out from the Bill the holdings to which this Bill applies, but I defy any person to find out in what cases the arbitrators are to have the power of granting reinstatement. I made this point on the first reading of the Bill, and the right hon. Gentleman did me the honour, as regards the point, in some respects to say when I read the Bill I would be perfectly satisfied. Well, I have read the Bill, and I am not satisfied. I defy anyone reading the Bill to come to any conclusion as to the cases the right hon. Gentleman means to include within the scope of the measure. The right hon. Gentleman excused himself by saying that fair rent was not defined by the Act of 1881. I think the fact that it was not defined has led to a good deal of investigation upstairs and a good deal of difficulty in administration of the Act of 1881. At all events, everyone knew what a rent was, and everyone had some idea of what "a fair rent" was, and therefore in some way or other you might arrive at some sort of conclusion as to what a fair rent was, but I would like to ask in all seriousness who is there who has in his mind at the present moment any idea of any kind as to what is a "*primâ facie* case for reinstatement?" Up to the present time the law was clear that if a tenant paid his rent and the costs within six months he has a right to be put back; that is all we know about reinstatement, and the only reading to a lawyer would be that a *primâ facie* case for reinstatement was that a man who was evicted could, if he was prepared to pay up everything including costs, be reinstated within a

period of six months; but when I am told we are to put back a man who has been 15 years out—who went out 15 years ago because he could not pay, who has stayed out ever since because he could not pay—when I am told that he is in a position to come and make a *primâ facie* case for reinstatement, I can only think that the most profitable means of occupation for a tenant in Ireland is to be out of possession 15 years. Apparently the case of the right hon. Gentleman is this: that these people who have been out 15 years because they were insolvent have suddenly come to such a position of solvency that it would be an advantage, not only to the State but to the landlords, that they should be reinstated in possession. I do ask the right hon. Gentleman to give us, before the Debate concludes, some idea of what they were doing, and what the arbitrators are to consider as the *primâ facie* case for reinstatement. I turn to the Bill, and I find the first point is to consider the circumstances of the district. At what date are they to consider it? Is it now, under the rule of the right hon. Gentleman and his assistants in Ireland, or is it under the rule of my right hon. Friend, and, at the time when English statesmen were coming over to make government as difficult as possible. Which of these are you to take? Are you to take the fact of the district being quiet or the fact of the district being disturbed? I would like to ask that of the right hon. Gentleman, for this reason that I can assure him that if the test of whether a *primâ facie* case was made or not was to depend upon the quiet or the disturbed state of a neighbourhood, the arbitrators will have plenty to do; and it would be a most unfair test to place upon their shoulders. After all they ought to have some indication of what are the proper circumstances to guide them. If they are to take into account the circumstances of the district in a time of quiet or in a time of the neighbourhood being disturbed, what is the use of putting in anything about the circumstances? I find only one other indication, they are to take into consideration the circumstances under which the eviction took place. Does that mean that they are to consider whether the rent was due? The tenant cannot be turned out unless at least a year's rent is due. Does it mean

that the arbitrators are to consider, when an eviction takes place, whether there was a sufficient disturbance and resistance made to the Sheriffs' officers? Does this mean that if there was no resistance on the part of the tenants, and they acted in a legal way in all circumstances, then they are to be restored? Does it mean that if there was no conspiracy against the payment of rent then the tenants would make out a *prima facie* case? If it does, then all I can say is what will become of all the Plan of Campaign tenants? On the other hand, does the right hon. Gentleman mean to lay it down as an indication that even if only there was a conspiracy, then there is a *prima facie* case? If so, then, Sir, you are putting a premium upon illegality, and I am sure the last gentleman in the world to do that would be the Chief Secretary for Ireland. But, Sir, if the arbitrators have not been sufficiently troubled in coming to a conclusion as to what are the particular circumstances, I find there is this saving clause: "Any other cause sufficient to authorise the reinstatement of the tenant." What does that mean? Here, again, I must ask, as regards this curious political novelty, what was the necessity of putting the two previous cases in order to trouble those unfortunate gentlemen if any other cause suggested by their own imagination or the knowledge that their own imagination or the knowledge that their salaries would be discussed on the Estimates by hon. Members below the Gangway was to be deemed to be a sufficient cause to make a *prima facie* case for reinstatement? I fear that, as regards the origin and the reason of this *prima facie* case, it will remain, like "Morley's Mile," insoluble, and shall be relegated to future ages as one of those curiosities which always emanate from statesmen who are trying to do right when they are supported by those who want them to do wrong. As a landlord has nothing to say to this *prima facie* case for reinstatement there is a hearing before the arbitrator when the landlord comes in to show cause. I should like to know what it is that the arbitrator will have to consider as sufficient cause shown on the part of the landlord. The right hon. Gentleman has given the House no information on this point. But the question is to be asked,

"Has the conduct either of the landlord or the tenant been unreasonable?" What is unreasonable conduct on the part of the tenant? Is it unreasonable on the part of the tenant that he should not pay a judicial rent fixed by a tribunal? Of course it is? Well then, Sir, is every tenant who has not paid a judicial rent to be refused reinstatement to his holding? Is that the meaning of the right hon. Gentleman? Is it unreasonable on the part of the tenant to refuse to pay because other tenants will not be reinstated to their holdings. What about all those tenants under the Plan of Campaign of whom the hon. and learned Member for York spoke in such eulogistic terms, and who said they could have settled on the Massereene Estate and would not, because other tenants were refused to be taken back. The hon. Member for East Mayo has told the House that he knew tenants who could pay and would not pay because he told them not to pay. Is that unreasonable conduct or not? Is this tribunal solemnly to hold that it was unreasonable conduct on the part of the landlord because he ejected a tenant who could pay and would not because the hon. Member told him not to pay? That case will arise every day before the arbitrator; it will be the first case he will have to consider. It is to put back these tenants that the Government have brought in this Bill. And before the House passes this Bill let hon. Members recollect that the object of the measure is not to restore to the holdings tenants who have been evicted because they could not pay an exorbitant rent, and because the landlord would not act reasonably towards them, but because they have turned out tenants who were able to pay but would not because, for political purposes, the hon. Member for Mayo advised them not to do so. I have been furnished with the particulars of many cases that will actually arise if the Bill becomes law, and I will vouch for the accuracy of the facts. Twenty-five years ago a landlord let a farm of 200 acres in the County of Kildare, and a new residence he had just erected. Being a lawyer, he found it necessary to live in Dublin. After a lapse of 15 years—that is 10 years ago, which would bring the case within the scope of the Bill—the tenant was ejected for non-

payment of rent, and the landlord resumed possession. He died five years ago, leaving the residue to his son charged with legacies and other charges to the amount of £3,000. The son gave up his profession in Dublin, went to reside on the farm, paid off the charge of £3,000, and expended £600 in improving the farm. I want to know is that evicted tenant to be restored to his holding? Is that gentleman who upon the faith of the English law has given up his profession in Dublin and expended £3,600 upon this holding to be ejected in favour of the tenant? If not, what protects him under the Bill? If he is, where is your provision for compensation? There is no provision for a shilling of compensation. These cases will multiply as the matter goes on. It is all very well for the Government to be blind to these facts by keeping their eyes on the Plan of Campaign tenants. I would rather have them say outright, "Let the arbitrators put back these Plan of Campaign tenants, and those only," and do it in the light of day. Let us not, because you are trying to wrap it up and envelop it as if you were carrying out a great act of justice, sacrifice the rights of those who have not been mixed up either in politics or in this agricultural revolution which has been going on in Ireland during the last 15 years. Take another case—that of a gentleman who five or six years ago evicted a tenant for some years' rent amounting to £1,000. The farm was near his own house, so he broke down his own demesne wall and took in the farm. Is that evicted tenant to go back to his holding? If not, what is there in the Bill to protect the landlord? It might be said that in such a case the purposes of the land had been altered. Then the theory must be that if a landlord has sufficiently altered his land he is to go scot-free, and if he has not he is to be mulcted by the Bill. Nothing more ridiculous can be conceived. A third case has been supplied to me the other day by a lady. She let to a tenant a farm lying near her residence. Some seven years ago the tenant was evicted for non-payment of rent. The lady's trap was overturned as she was driving in the road; her servants left her; and all of what the Chief Secretary calls "the innocent paraphernalia of boycotting" was brought into

play. The unfortunate woman was landed in the Bankruptcy Court, and, after paying such small dividends as her relatives could afford, she has been restored to the peaceful possession of the farm, while the tenant is a drunken "corner boy" in a town in Ireland. This lady asks whether the British Parliament is going to send back to her very door the man who has been making her life miserable and wretched. What is there in the Bill to prevent the tenant going back? He, at all events, has sufficient "circumstances of the district" to rely on, because he has been prominent in boycotting his former landlord and in resisting the land-grabbing, according to the creed of hon. Members below the Gangway. Then there are numerous cases where the landlords have taken up the farms and built houses and made improvements. I have details of a case in which the tenant was evicted for £1,200 of rent. The landlord found the buildings and farm deteriorated. In the first few years he spent much money in getting the farm into good condition, and last year he made £600, which was £200 over the rent. Is that landlord to take back the evicted tenant? If so, who is to compensate him? Or is the property which he has created by his own improvements to be confiscated? It might be said that that is a case which the arbitrators would disregard. What is there in the Bill to bring that about? It is especially a case in which the tenant would do well by going back, because he would reap the advantage of all the capital put into the ground by the landlord. Are these landlords to be deprived by a vote of the House of this property which they have managed to build up at so much trouble? If that is to be the policy of the House and the view of the English Government towards Ireland, then those in Ireland who are prepared to live as law-abiding citizens will be justified in resorting to any extreme. [Cheers.] Hon. Members below the Gangway cheer ironically. They are welcome to their cheers. All I can say is there must be a point, if Governments begin to confiscate, at which you will raise the indignation of those who are willing to submit to your laws, and they will be perfectly right in so doing. Let me take another set of cases which were referred to on the First Reading, which the right hon. Gentleman stated are

specifically defined in the Bill, but which I venture to say are not. During the last 15 years the Land Judge's Court—Mr. Justice Monroe's Court, as it is called in Ireland—has been turning out tenants and making Court lettings to new tenants with all the sanctity of a Court letting, and with the guarantee of the Landed Estates Court, which gives an indefeasible title—a guarantee, above all others, that this was done under the law. I want to know, if Judge Monroe put a new tenant into a holding yesterday, is the Government by their Act of Parliament going to turn him out to-morrow? I want to know also what will be the position of these two Courts in Ireland. Judge Monroe will say:—"Here is a tenant who has not paid rent to the Court; I am bound to enforce his rent; I will put him out." You will say, "I do not care for the High Court and Judge Monroe; I will put him back." What is the conflict of decision between these Courts? Where does it end? What confidence will there be in the law in the future in Ireland if the Judges of the Courts Parliament itself has set up are going to invite tenders for farms, and the Government are going the next day to set up a tribunal to turn the tenants out? Then there is the case of the purchase tenant. I did think the right hon. Gentleman would tell the House something as to what would be done in that case. Is he going to turn out those tenants who have bought their farms, on whose credit the State has advanced money? It is one thing to advance money to a solvent tenant who is able to work his farm, but it is another thing to say that, having advanced a sum of money on the faith of his being solvent, the Government are to turn round and force on the State a tenant who was absolutely insolvent. Some of these tenants have been in since 1890, and must have paid four instalments, which gives them a certain share in the freehold of their farms. What is to be the fate of these tenants? What is to be the ultimate destination of the security of the State, which has given the money on the faith of solvent tenants being put there? It may be that in our hurry to get away for a vacation we might be anxious to throw all these matters aside and pass any Bill rather than sit into next month; but unless these matters are regarded a

state of chaos and confusion will be created in Ireland utterly unparalleled by anything that has hitherto taken place. I now come to the position of the new tenants, and I was surprised that the right hon. Gentleman expressed so little sympathy with them. He said they were called "planters." That word was never known in Ireland until the Plan of Campaign was adopted in 1886. Up to 1886, when the Plan of Campaign was adopted, there were hundreds and thousands of these new tenants in Ireland who were living on as friendly relations with their neighbours as they possibly could. The right hon. Gentleman asks us—"Will the planter be more subject to outrage if the Bill passes than if it did not pass?" and I fear in asking that question he throws out encouragement in a very dangerous direction in Ireland. I know the right hon. Gentleman said he did not want to prophesy. He only gave us what I will call a vague threat.

Mr. J. MORLEY: It is the hon. Member's own prophecy, not mine.

Mr. CARSON: I have not prophesied anything up to this. All I say is that until the Plan of Campaign was adopted there were thousands of these new tenants living on friendly terms with their neighbours. Now, the arbitrators, without hearing these tenants, are to be given power to make conditional orders that they shall give up possession. This meant saying to the evicted tenants—"We have done all in our power. Here is a conditional order. Go and present it at the head of the new tenant, and fire it off as best you can. Get rid of him and then we will reinstate you." It might be that if the Bill should be thrown out there might be more outrages than if the Bill passed. But is that a reason for passing the Bill? To urge such an argument is to uphold mob law and is equivalent to telling people that if they will only commit a sufficient number of outrages they will bring the question they desire to raise within the sphere of practical politics. We have had enough of this sort of thing before, and we have found that by adopting such a policy we were sacrificing those who kept themselves within the law for the benefit of those who violated it. In opposing this measure we can justify our consciences by the knowledge that we are siding with

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those who are in the right. If we pass this Bill in its present shape, have we good reason for supposing that there may not be outrages upon those persons who have taken evicted farms in Ireland? Let me give the right hon. Gentleman, if he has not seen it, the criticism of a charitable Christian minister in Ireland on the right hon. Gentleman's Bill—

"Forsooth, were those tenants who had given up their holdings to secure justice to all the other tenants in Ireland and bring Home Rule within measurable distance to be banished for ever from the homes of their fathers and see public thieves left in possession of their property? No, a thousand times no. They would never submit to that, and he warned the Government that if they did any such thing they would deluge Ireland with bloodshed."

That was the Rev. Father Humphreys, of Tipperary. The right hon. Gentleman said—"Oh, it is only the Rev. Father Humphreys." Yes, it was only a Catholic clergyman preaching to his flock, and after all it was in Tipperary. I should have thought the right hon. Gentleman knew something about Tipperary, because I think I have a recollection that at one time he said he could manage the whole of Tipperary with a single policeman from a country town in England. Perhaps, however, he knows more about it now. The rev. gentleman went on to say—

"But when they see these public robbers and grabbers are to be left comfortable in their farms the wild justice of revenge would set in once more in Ireland, and the assassin and the hangman would begin their operations among them."

That is the criticism upon the exclusion of one class of evicted tenants from the Bill, whilst at the same time you put back other evicted tenants into farms which are held by the landlords themselves. But Sir, upon what principle do you assess the compensation to be paid to these new tenants. As well as I understand the Bill you are to give them some small sum for compensation, half of which the State is to advance and the other half is to be secured upon the promissory note of the evicted tenant. The right hon. Gentleman has himself appealed to the Land Act of 1870. What is the right of the tenant in possession under the Act of 1870? Under the Act of 1870, if a landlord dispossesses a tenant, the latter is en-

titled to compensation ranging from three to seven years' of rent paid. Why should the State pay less compensation for disturbance? What is the use of passing an Act for the protection of the tenant laying down a scale of compensation, and then, owing to political exigencies which may result in turning the Government out of Office, in order to keep them in to disregard the whole antecedent land legislation which this House has passed? I have read over the evidence of these Massereene tenants, and if the right hon. Gentleman thinks that he is going to get rid of these so-called Massereene planters by anything he has got in this Bill I have to tell him he will only get rid of them when they have been put down by superior force. If anybody takes the trouble to read that evidence he will see that these men, by the fruits of their industry and determination, have got an interest in these holdings which would not be compensated by the scale of compensation you have laid down in the Act of 1870. I desire to say a word or two as regards the new tribunal. I must say, of all the extraordinary provisions of the Bill, I believe the fact of your setting up this new tribunal in Ireland is the most extraordinary and the most dishonest, and I will tell you why. What do you want a tribunal for? Have we not tribunals enough in Ireland? Why, Sir, you first were not satisfied with the ordinary High Courts of Justice, but you set up the Encumbered Estates Court, which then became the Land Judge's Court, and because they proceeded to carry out the law you were not satisfied with them. In 1881 you passed the Land Act and set up another tribunal by establishing the Land Commission. In 1885 the Conservative Party passed the Land Purchase Bill and, not satisfied with the Land Commission, set up a Purchase Commission, and much good has it done. You have now three Land Commissioners, two Purchase Commissioners, a Land Judges' Court with all their attendant expenses and different staffs, and now you propose to set up a new Land Commission and a new Arbitrators' Court. For what are you going to set it up? To fix rents? But that is the purpose for which the Purchase Commissioners were appointed in 1887. If these are the two chief functions of this tribunal the necessity for it does not,

therefore, exist. But the Government are creating it not because they wish to have the administration of the law, but because they want to perpetrate a political job. The right hon. Gentleman has told us that he had succeeded in getting three impartial Irishmen to carry out the Bill. I have no doubt the Chief Secretary has done his best to secure three impartial gentlemen as arbitrators, and as my countrymen are the most unprejudiced people on the face of the earth, I have no doubt that the right hon. Gentleman has succeeded in the task he laid before himself. The hon. and learned Member for York said there had been no criticism so far in the Debate of these three gentlemen. I am not going to criticise them, because I have not had time since the right hon. Gentleman spoke to consider the various reasons — no doubt *bonâ fide* reasons on his part—why these three gentlemen were selected. As regards Mr. White, the praise that has been lavished upon him is nothing too high. Mr. White has been a leader of the Equity Bar for many years, and I was rather sceptical about that gentleman having accepted the post; but, of course, after the Chief Secretary's statement it must be so. Mr. Greer, another of the gentlemen, was examined in the Committee on the Irish Land Acts some days ago. I had not the privilege of being present, but I cannot find any great satisfaction with the evidence Mr. Greer gave among the hon. Members with whom I act. As regards Mr. Fottrell, I have the pleasure of knowing that gentleman, and the only recollection I have of anything connected with the public career of Mr. Fottrell is that he was originally appointed solicitor or secretary to the Land Commission in 1881 by Mr. Forster; and that, having issued a very strong and very curious circular in the interests of the tenants, he was called upon to explain, and eventually he resigned his appointment. However, I say nothing against Mr. Fottrell; and these are the only matters I desire to call attention to with regard to the three arbitrators. The right hon. Gentleman made the extraordinary statement that he was glad the arbitrators would be enabled to conduct their proceedings in private. Is it to be a tenet of the Liberal Party that the Press must know

nothing of the reasons which actuate the members of this new tribunal?

MR. J. MORLEY: All proceedings of this kind in the Land Judges' Court are conducted in private.

MR. CARSON: No. The Land Court is an open Court. All the proceedings before the Land Judges are perfectly public. The right hon. Gentleman shakes his head. If this were a matter of politics I would give way to him, but it is a matter of which I have had considerable personal experience.

MR. J. MORLEY: I do not say that all proceedings in the Land Judges' Court are private, but I do say that very important proceedings of a similar character to those which will be conducted before this new tribunal are private.

MR. CARSON: That I absolutely deny.

MR. J. MORLEY: I have the authority of the Judge himself for saying so.

MR. CARSON: That I absolutely deny. I am perfectly sure the right hon. Gentleman means to accurately represent what the Judge said, but I would like to ask Judge Monroe what proceedings in his Court bear the slightest analogy to any proceedings under the Bill. Of course, if Judge Monroe has to read a title he does not read it in public; but all controverted cases involving questions of fact and law in the Land Judges' Court are open to the Press, and I am sure that Judge Monroe will admit that I am absolutely right in saying so. If ever there was a case in which the full light of public opinion ought to be thrown upon the proceedings of a judicial body, it is in the case of this extraordinary tribunal. If the right hon. Gentleman says that these proceedings are to be conducted in private, I tell him that is a new doctrine of the Liberal Party, and is now put forward for the first time. I always understood that it was an essential doctrine of the Liberal Party that the fullest light of criticism and public opinion should be thrown on every matter involving a judicial decision. I should like to ask one question more. What will be the result of passing this Bill? The result will be to practically abolish the power of enforcing rents in Ireland.

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It will practically put an end to the inclination of any person whatever to take a farm from which another man has been evicted. I am glad to say that, though the right hon. Gentleman has refused to give details, the taking of evicted farms has been far more frequent during the last 12 months than previously, and I give the right hon. Gentleman full credit for bringing Ireland to a condition under which people will take evicted farms. But what man will take an evicted farm if he knows that perhaps the day afterwards the Government may set up another of those tribunals for restoring the tenant who has been evicted? Moreover, if the tenant 10 or 15 years ago when in possession was unable to pay the rent fixed by the Court, what chance will he have of doing so now, when he is without capital and without the means of stocking the farm? "He will get it somewhere or other," is the hopeless ejaculation of the right hon. Gentleman. I notice that the Mathew Commission—and no one will say that that Commission unduly strained the evidence in favour of the landlords—have stated that these tenants are not in a position without capital to go back, and they suggested that money should be advanced to them to do so, the money to be charged on them with the rent. But you do not do that. The Government will be putting back insolvent tenants upon the landlords, whether they like it or not, and with the mere chance that somehow or other they will be able to meet the rent when it becomes due. I say that, to put back these tenants in the present condition of Ireland without supplying them with the means to work the farms will practically be to hand over to an insolvent body of persons the whole tenure of land in the country. What are the reasons of the Government for doing all this? As I said before, they do not suggest that the law under which these tenants held was insufficient to protect them. And what is the position of the Plan of Campaign tenants? Not one of them could have been put out without full compensation being paid by the landlord. In case the rent was exorbitant, or the landlord was unreasonable, the Land Court, under the Act of 1870, had full power to award to the tenant the very fullest compensation. In the case of holdings under £15—and the

majority of these evicted holdings are under that sum—the landlord who put out a tenant for non-payment of rent has to give the same compensation as if he disturbed him for his own benefit by notice to quit. Again, under the Act of 1887 every tenant—and the majority of those men were evicted since 1887—had the right, provided they could show that their non-payment of rent was not due to anything wilful on their part, to apply to the Land Court for time in order to stay eviction, and to have the arrears of rent paid by instalments. There are some 1,400 of these tenants. Why did none of them take advantage of these Acts? Why did none of them apply for compensation or for proceedings to be stayed? It is not protection, or reduction of rent, or compensation they wanted, but to further the Plan of Campaign movement of hon. Members below the Gangway—a political movement which had for its object to make the Government of my right hon. Friend impossible. What the House is called on to do now is to sacrifice the rights of landlords and the rights of the new tenants, not for the purpose of benefitting the tenantry of Ireland, but in order to pay a political debt, and I venture to say that this is the first time in its history that Parliament has been asked to apply public funds to such a purpose.

MR. HALDANE (Haddington) said, the speech of the hon. and learned Member for Dublin University had been awaited by the House with considerable interest. They knew of the hon. and learned Member's force and vigour; they knew of the distinguished career he had had in Ireland, and they knew of the most remarkable success he had achieved by raising himself at once to a great position at the English Bar. He did not think that the expectation of the House had been disappointed so far as the speech of the hon. and learned Member was concerned. The hon. and learned Member had made a brilliant speech worthy of his reputation. He regretted, however, that the hon. and learned Member should have spoken in a different spirit from that which animated him on the First Reading of the Bill, when he said—

"He should be certainly sorry to adopt a *non possumus* attitude on this question. He knew enough of Ireland to say that he believed and admitted that the question of the evicted

tenants, whether they were rightly or wrongly evicted and whether they were evicted for the purpose of advancing a particular class of politics or not—that as long as it remained unsettled the question of the evicted tenants meant a great deal with reference to the peace of Ireland."

The hon. and learned Member, while opposing the Bill now, had given no indication of any alternative positive policy. Where was the sympathy of the hon. and learned Gentleman with the object of those who had brought forward the Bill? There was not a trace of it in his speech; and as every word of the speech was cheered and apparently received with approval by hon. Gentlemen opposite the Government now knew what they had to face from the Opposition. He confessed he was greatly disappointed. He had never been one of those who attacked the Irish landlords. He knew that amongst their body were many men who tried hard and honourably to do their duty; and as he and many of his friends looked fairly at the Irish land question with regard to the interest of the landlords, they had expected that their attitude would have been reciprocated by a desire on the other side to look fairly at the question in the interest of the tenants. Surely the time had come when the hatchet might be buried—at any rate for a time—when, in the long war waged in connection with Irish land, a flag of truce should be raised and they should go forth to succour the wounded. The question of the evicted tenants was a question of the first importance in its relation to social order, and it concerned the interests of the landlords of Ireland no less than the interests of the tenants. It was a question which ought not to be dealt with in any spirit of partisanship. Those who criticised the Bill would do well to bear in mind the situation in which they stood. If the House rejected this Bill it would commit a colossal blunder similar to blunders which it had committed before in dealing with the Irish land question. In 1880 the compensation for disturbances clauses were rejected by the House of Lords, and the consequence was that in a few months there arose the biggest agrarian combination that was ever known, and the landlords of Ireland must have rued the day when they rejected the advice that had been given to them. Within a short time Parliament had to eat its

Mr. Haldane

own words in connection with that matter. Then, in 1886, Mr. Parnell brought forward a Bill proposing that rents fixed before 1885 should be reconsidered and readjusted, and one year later the proposal received the approbation and sanction of the Cowper Commission. But the representatives of the Irish landlords in the other House would have none of it, and the consequence was that within six months the Plan of Campaign was started.

Mr. CHAPLIN: It was started before that.

Mr. HALDANE said, the Plan of Campaign was started in October, 1886. The Conservative Government came into Office in August, 1886. Mr. Parnell's proposals were rejected in September, 1886, and the Plan of Campaign was started at the end of the following October. The House of Lords rejected Mr. Parnell's proposals, and the country was now undergoing some of the consequences. But he only desired to recall to memory the evils and mistakes of the past in order to appeal to the fair spirit which actuated Englishmen and which made it possible for them—no matter what Party might have been right or wrong in the past—to look at the situation they had to deal with to-day, and to take some step forward towards the solution of the problem of social order with which they were confronted in Ireland. To his mind this Bill was the mere logical outcome of steps Parliament had taken before and which Parliament was bound to follow up now. The initial step was the Encumbered Estates Act, which sought to get rid of insolvent and bankrupt landlords. So far its object was urgent, but the mistake that was committed was in not seeing that the land which passed away from a class which, with all their faults, were at any rate in close and friendly relations with their tenants, would fall into the hands of men who were likely to use the land for the purposes of commercial speculation. Rents went up, and iniquities were perpetrated which he hoped would never again disgrace the history of land in those countries, with the result that face to face with an acute situation Parliament stepped in and passed the Act of 1860, which sought to abolish the old relations of tenure, which set up different regulations between

landlord and tenant, and ignoring the root of the land difficulty in Ireland, laid down the law of strict contract. That law was lived under for ten years, and then came a time when the spirit of land legislation underwent a complete change. He remembered reading in *The Times*—which at that period took a more moderate and impartial view of political Parties than it did to-day—the report of a Commissioner it sent to Ireland, and who declared that the tenant had, if not a legal property, at least a moral property in the soil as great as that of the landlord, and that that state of things urgently called for the attention of Parliament. Then came the Act of 1870 which established compensation for disturbance. That was followed by the Act of 1881, which established free sale and fair rents, and did that which the hon. and learned Member for Dublin University said was now for the first time attempted to be done in the *Evicted Tenants Bill*—namely, it enabled the Court in the case of a tenant under ejectment to adjourn the proceedings in order that a fair rent might be fixed and the tenant continued in his holding. Those principles were extended by the *Land Act* of 1889. Remembering those things, the question they had to consider was, What was the position in which they now stood? There were in Ireland 4,000 evicted tenants, and their case had to be dealt with. With some of them there would no doubt be considerable trouble, but with some there would be very little trouble. He read the other day an article by Lord Monteagle on this subject, and in that article Lord Monteagle—an Irish landlord who, though he had strong views against Home Rule, earnestly desired to do his duty towards Ireland—took a line wholly and totally different from that taken by the hon. and learned Member who had just sat down. Lord Monteagle said that what was wanted was a body which would undertake conciliation, because by means of conciliation the cases of a large number of the 4,000 evicted tenants might be dealt with without legal intervention. With regard to the other cases, it was necessary to have a tribunal to go into the merits of the dispute, and a tribunal such as that to be set up under the Bill, which could act with greater freedom than any of the existing legal tribunals.

It being Midnight, the Debate stood adjourned.

Debate to be resumed To-morrow.

BRITISH MUSEUM (PURCHASE OF LAND) BILL.—(No. 315.)

COMMITTEE.

Bill considered in Committee.

(In the Committee.)

Clause 1.

MR. CONYBEARE (Cornwall, Cambridge) said, that £200,000 seemed to be a large amount to pay for this land. He did not say it was unfair, but he should like to ask if the right hon. Gentleman the Secretary to the Treasury could give information as to the steps which had been taken to value the land? Was it done by arbitration?

*THE SECRETARY TO THE TREASURY (Sir J. T. HIBBERT, Oldham) was understood to say that the hon. Member might rest satisfied that the amount was reasonable. The land had been valued by the surveyor of the Office of Works and the Treasury valuer, and both these gentlemen considered the sum moderate. The price would probably have been much larger if the opportunity had not been taken to purchase before the leases were renewed.

MR. T. M. HEALY (Louth, N.) said, that as he saw the hon. and learned Gentleman the Member for St. Stephen's Green, Dublin, in his place he would invite him to put in a plea for the carrying out of several outstanding works in connection with the Dublin Museum.

THE CHAIRMAN: Order, order! The Bill has no reference to Ireland.

MR. T. M. HEALY said, that the only way in these matters to obtain any benefit for Ireland was to object to English Bills. Though he had great reluctance in placing himself in opposition to the present Government in this case he must point out that in regard to the building in Dublin, which was analogous to the British Museum in London, they had great difficulty in inducing even the present Government to carry out outstanding works. This appeared to be an excellent opportunity to ask the Government if they intended in regard to similar appeals

affecting Ireland to make the smallest concession to the demands of gentlemen connected with the Kildare Street Museum and buildings of that character.

*SIR J. T. HIBBERT said, that so far as he knew, there was no application now before the Treasury as to the enlargement of galleries or museums in Ireland. If such applications should be made they would be duly considered. A considerable amount of money was being spent this year in respect of public buildings in Ireland.

MR. T. M. HEALY said, he should not say another word if the hon. Member for the St. Stephen's Green Division was not in a position to offer any observations.

Clause agreed to.

Bill reported, without Amendments, to the House; to be read the third time To-morrow.

PEEBLES FOOT PAVEMENTS PROVISIONAL ORDER BILL.—(No. 304.)

Read the third time, and passed.

NOTICE OF ACCIDENTS BILL.—(No. 272.)

Lords Amendments to be considered forthwith; considered, and agreed to.

PREVENTION OF CRUELTY TO CHILDREN BILL.—(No. 242.)

Lords Amendments to be considered forthwith; considered, and agreed to.

SUPPLY—REPORT.

Resolutions [18th July] reported.

ARMY ESTIMATES, 1894-5.

1. "That a sum, not exceeding £257,600, be granted to Her Majesty, to defray the Charge for the Salaries and Miscellaneous Charges of the War Office, which will come in course of payment during the year ending on the 31st day of March, 1895."

2. "That a sum, not exceeding £1,516,400, be granted to Her Majesty, to defray the Charge for Retired Pay, Half-pay, and other Non-Effective Charges for Officers and others, which will come in course of payment during the year ending on the 31st day of March, 1895."

3. "That a sum, not exceeding £1,335,200, be granted to Her Majesty, to defray the Charge for Chelsea and Kilmainham Hospitals and the In-Pensioners thereof, of Out-Pensioners, of the maintenance of Lunatics for whom Pensions are not drawn, and of Gratuities awarded in commutation and in lieu of Pensions, of Rewards for

Mr. T. M. Healy

Meritorious Services, of Victoria Cross Pensions, and of Pensions to the Widows and Children of Warrant Officers, which will come in course of payment during the year ending on the 31st day of March, 1895."

4. "That a sum, not exceeding £164,700, be granted to Her Majesty, to defray the Charge for Superannuation, Compensation, and Compassionate Allowances and Gratuities, which will come in course of payment during the year ending on the 31st day of March, 1895."

Resolutions agreed to.

COUNTY COUNCILLORS (QUALIFICATION OF WOMEN) BILL.—(No. 168.)

Order for Second Reading read, and discharged.

Bill withdrawn.

MUSSEL SCALPS (SCOTLAND) BILL. (No. 169.)

Order for resuming Adjourned Debate on Second Reading [10th July] read, and discharged.

Bill withdrawn.

FACTORY AND WORKSHOP ACT, 1878.

Copy presented,—of Order of Secretary of State extending Special Exception [by Act]; to lie upon the Table.

POLLING DISTRICTS (HUDDERSFIELD).

Copy presented,—of two Orders made by the Council of the County Borough of Huddersfield with regard to the alteration and division of the Longwood Polling Districts [by Act]; to lie upon the Table.

ADJOURNMENT.

Motion made, and Question proposed, "That this House do now adjourn."

BUSINESS OF THE HOUSE.

MR. J. MORLEY: I beg to give notice that the suspension of the Midnight Rule will be moved to-morrow (Friday) evening for the continuance of the Debate on the Evicted Tenants Bill, if it is not concluded by midnight.

MR. A. J. BALFOUR: As far as I am able to estimate the probabilities, there is no chance of our being able to finish the Debate to-morrow. I only say this for the convenience of the Government.

Question put, and agreed to.

House adjourned at a quarter after Twelve o'clock.

HOUSE OF LORDS,

Friday, 20th July 1894.

COMMISSION.

The following Bills received the Royal Assent :—

- Public Libraries (Scotland).
- Burgh Police (Scotland) Act, 1892, Amendment.
- Merchandise Marks (Prosecutions).
- Bishopric of Bristol Act (1884) Amendment.
- Injured Animals.
- Commissioners of Works.
- Outdoor Relief (Friendly Societies).
- Wild Birds Protection Act (1880) Amendment.
- Sea Fisheries (Shell Fish).
- Prevention of Cruelty to Children.
- Notice of Accidents.
- Local Government (Ireland) Provisional Order (No. 1.)
- Local Government (Ireland) Provisional Order (No. 5.)
- Local Government (Ireland) Provisional Order (No. 13.)
- Local Government (Ireland) Provisional Order (No. 14.)
- Pier and Harbour Provisional Orders (No. 2.)
- Pier and Harbour Provisional Orders (No. 3.)
- Pier and Harbour Provisional Order (No. 4.)
- Electric Lighting Provisional Orders (No. 3.)
- Electric Lighting Provisional Orders (No. 4.)
- Electric Lighting Provisional Orders (No. 5.)
- Gas Orders Confirmation (No. 1.)
- Gas Orders Confirmation (No. 2.)
- Water Orders Confirmation.
- Local Government Provisional Orders (No. 7.)
- Local Government Provisional Orders (No. 9.)

Local Government Provisional Orders (No. 10.)

Local Government Provisional Orders (No. 11.)

Local Government Provisional Orders (No. 12.)

Local Government Provisional Orders (No. 13.)

Local Government Provisional Orders (No. 16.)

Local Government Provisional Order (No. 19.)

Local Government Provisional Order (Poor Law).

INDIAN COTTON DUTIES.

QUESTION. OBSERVATIONS.

*THE MARQUESS OF LANSDOWNE inquired whether it was still the intention of Her Majesty's Government to prohibit the Government of India from extending the Import Duties, levied under the Tariff Act of 1894, to cotton goods; and called attention to the discussions upon this subject in the Legislative Council of the Governor General. He said: My Lords, before placing this Notice on your Lordships' Paper I asked myself, not without some anxiety, whether the discussion which I proposed to bring on could in any way embarrass the Government of India or be detrimental to public interests, and I came to the conclusion that upon the whole it was clearly desirable that the end of the Session should not pass by without some further reference in Parliament to a subject which has so deeply moved public opinion in India. I felt sure that the Debate which might take place this evening would be one which upon the whole could not fail to do good rather than harm. The subject has been so long before the public attention that I do not feel called upon to detain your Lordships with any lengthened reference to its history. It will be sufficient if I remind your Lordships that until a comparatively recent time—about 12 years ago—the Government of India used to derive a considerable part of its Revenue from Import Duties. It was the custom of the East India Company to impose such duties. I may say, in passing, that I believe there is no form of taxation which is more acceptable, or less repugnant, to an Eastern people than

taxation of this kind. In 1859 Mr. James Wilson, a well-known English financier, was sent out to take charge of the finances of India, and I believe he then re-arranged the Import Duties, and fixed an all-round rate of about 10 per cent. Those rates were subsequently, at different times, modified. A very important controversy took place in 1875 between the India Office and the Government of India upon the subject of the Import Duties. At that time the Marquess of Salisbury was in charge of the India Office, and my noble Friend at the head of the Government of India proposed a very considerable alteration of the tariff. He gave some relief to the exports; he reduced the general rate from $7\frac{1}{2}$ per cent. to 5 per cent.; he altered the system under which cotton goods were valued—altered it, I may say, in a manner which gave a very considerable advantage to British importers. He did all those things; but he did not see his way to do away with the Import Duty upon cotton goods and yarns, which he left at the then existing rates of 5 per cent. and $3\frac{1}{2}$ per cent. respectively. A discussion arose between the India Office and the Government of India as to the propriety of the action taken by my noble Friend. The noble Marquess opposite was of opinion that the Cotton Duties had a preferential claim. My noble Friend did not see his way then to give the desired relief to cotton goods; but the noble Marquess and the noble Earl were entirely at one as to this: that there could be no question of imposing additional taxation in order to give relief to the cotton goods. That point was clearly established at the close of the correspondence, and it is a point of some importance, because, as I think I shall be able to show the House presently, the Government of India is likely to be driven to impose fresh taxation if the prohibition against taxing imported goods remains much longer in force. The difference of opinion which declared itself in 1875 led to the Mission of Sir Lewis Malet, who was sent to India for the purpose of discovering a *modus vivendi* between Calcutta and Downing Street; so far as I have been able to make out, that Mission did not produce any immediate results.

THE MARQUESS OF SALISBURY: He fell ill.

The Marquess of Lansdowne

THE MARQUESS OF LANSDOWNE: However, in the following Session of Parliament a very remarkable Resolution, to which reference has constantly been made during the present controversy, was passed by the House of Commons. That Resolution was to the effect that the duties then levied upon British manufactures imported into India were protective in their nature, were contrary to sound commercial policy, and ought to be repealed without delay so soon as the financial condition of India would permit. This Resolution was transmitted to the Government of India as an Instruction, and it was followed by a partial remission of the obnoxious duties. But, my Lords, the opponents of the duties, having once tasted blood, were not going to be satisfied by any mere modification of the tariff, and in 1879 a second Resolution, more strongly worded than the first, was carried in the House of Commons. It ran as follows:—

“That the Indian Import Duties on cotton goods, being unjust alike to the Indian consumer and the English producer, ought to be abolished, and this House accepts the recent reduction of these duties as a step towards their total abolition, to which Her Majesty's Government are pledged.”

The House will observe that this Resolution was more strongly worded than the first, and it differs from its predecessor inasmuch as no reference is made to the financial condition of India, and also inasmuch as the duties are attacked upon the ground of their injustice not only to the English producer but to the Indian consumer, about whose interest in the matter I shall have a word to say presently. My Lords, the result of this action on the part of the British Parliament was that in 1882, during the Viceroyalty of the noble Marquess, now Secretary of State for the Colonies, the duties were entirely swept away, and although there have since that time been many lean years, in which the Government of India has been in sore straits, no attempt has until now been made to re-open the question. That, my Lords, is all that I need to say by way of introduction. We have now to turn to the situation as it stood when the Government of India had to consider its position at the commencement of the present financial year. The rupee had fallen from 1s. 9d. in 1890 to a little over 1s. 2d., and, taking the rate of exchange at that figure,

which, as your Lordships know, has not been maintained, the Finance Member of Council found himself on March 1st face to face with a deficit of three and a-half crores—a deficit which was subsequently reduced to about three crores by changes to which I shall refer by-and-bye. The outlook was indeed serious, and it is impossible not to feel the greatest sympathy for the unfortunate Minister who was called upon to make both ends meet under such unpromising circumstances. The Finance Member of Council is never much to be envied, and I doubt whether his difficulties are perfectly understood in this country. A well-known English Chancellor of the Exchequer (Mr. Lowe) once compared the Revenue of this country to a table, and reminded his hearers that, just as you could not expect a table to stand unless it had a sufficient number of legs, so you could not expect the Revenue of a nation to maintain its stability if you cut away too many of the sources of income by which it is supported. That homely illustration is especially applicable to the case of India. In India the Revenue table has a very small number of legs, one or two of them are somewhat rickety, and the Financial Member comes very soon indeed to the end of his resources. The Salt Tax, from which he draws a very considerable portion of them, affects a necessary of life, and no statesman would, I am convinced, regard with satisfaction an attempt to increase it. The Opium Revenue is dwindling and uncertain. The Income Tax is unpopular and unproductive, and a very strong case has been made out in favour of exempting the smaller incomes. The Government of India can come down on the provincial balances; and it has, on more than one recent occasion, been compelled to adopt this course, but it is one which is deeply and not unnaturally resented by the victims of these appropriations, for it deprives the Local Governments of resources which they are able to use with excellent results in the development of the districts committed to their charge. Then there is the suspension of the Famine Grant. There is, I believe, a great deal to be said in favour of suspending it under circumstances such as those which have lately arisen; but the step is undoubtedly one which occasions a serious shock to public confidence, and

it is certainly not a step which any Government can take with a light heart. It involves a departure from a financial policy which has found general acceptance, and to which successive Governments have solemnly undertaken to adhere. But, my Lords, when we have arrived at this point, we have virtually exhausted the sources to which the Financial Member of Council can look for additional revenue. He cannot, like the British Chancellor of the Exchequer, extricate himself from his difficulties by imposing an extra penny or two in the Income Tax; still less can he, in spite of the fact that the finances for which he is responsible are those of an Eastern country, make a descent upon its accumulated wealth by transferring to his own pockets a slice of all property passing by death from one owner to another. There remains the question of reducing expenditure. That is a subject of immense difficulty; all that I feel called upon to say with regard to it at the present is, that although reduction may here and there be possible, and although rigid economy is, no doubt, desirable, I entirely disbelieve that it would be safe or statesmanlike to effect sudden and wholesale reductions, either in the civil or military expenditure of the Indian Empire. You may starve your public works, but the limits within which you can do so are far from wide. Of all dangerous and wasteful economies none is more dangerous and wasteful than that of suddenly interrupting the progress of a railway, or of some great irrigation scheme. In such cases stoppage means not only the arrestation of a useful work, but that large establishments are to be broken up or kept in idleness; and materials, accumulated or already ordered, wasted or left to perish by the roadside. The case of the military expenditure does not present fewer difficulties. A few economies may be made here and there, but no substantial diminution of expenditure can be arrived at unless you are prepared either to reduce the pay of the soldier or to diminish the number of troops now employed in India, or to deplete those reserves of stores which we have been endeavouring to accumulate during recent years. I do not envy the statesman who attempts to retrench in any of these three directions. This question of the reduction of our military expenditure was

very anxiously considered by the Government of India last year. I remember that it produced a deep impression upon me when I found that out of a total expenditure of between 15 and 16 crores no less than 12 crores were absorbed by the pay of the Army, by the expenses of feeding it, and by the pensions to which it was entitled, which could, of course, not be touched. It is easy to point to the fact that the military expenditure of India is large and has been increasing, but I think the critics are apt to forget how much of the increase has been due to the increase of the Army by 30,000 soldiers after the annexation of Upper Burma, to the measures which have been taken to promote the comfort and well-being of our troops, British and Native—measures with which the name of my noble and gallant Friend on the Cross Benches will always be honourably connected; to the vast expense which has been imposed upon us by the introduction of new armaments, to the fall in exchange, which has added nearly 40 lakhs to our Military Estimates in a single year, and last, but not least, to those measures of precaution which have been rendered necessary by the military activity of powerful neighbours both on the eastern and western frontiers of the Empire. This, then, was the position with which Lord Elgin's Government was confronted, and it was in all conscience serious enough. The Financial Member of Council found himself obliged to scrape together from the different sources available—and I have shown how few they were—the necessary Revenue with which to make up this large deficit. It was clear from the first that the Famine Grant had to go, and I do not think there can be any doubt that the Government of India was fully justified in suspending it. The Famine Grant, which your Lordships know, amounts to 150 lakhs per annum, was intended to provide out of the superfluity of prosperous years for the exigencies of years of adversity. Some of your Lordships have probably read the extremely instructive speech delivered in the Viceroy's Council on the 27th of March by Sir Charles Elliott, the Lieutenant Governor of Bengal. Sir C. Elliott was Secretary to the Famine Commission, to whose recommendation the institution of the so-called Famine Insurance Fund was due; and it

is noteworthy that Sir Charles, speaking with the authority due to his connection with the Famine Commission, as well as with that belonging to the head of the Province which has more than any other in India suffered from famines in the past, expressed his opinion that the time had come for inquiring whether the grounds on which this figure of lakhs was arrived at, still remain unchanged. He shows in the course of his speech that owing to the construction of many of the lines considered necessary by the Famine Commission, the districts most liable to scarcity have become much less vulnerable than they were, and he expresses his opinion that there is good reason for thinking that it is no longer necessary to set apart so large a surplus as $1\frac{1}{2}$ crores, for the definite purpose of meeting the recurring expenditure which the occurrence of famine entails. I am not sorry to have this opportunity of adding to Sir Charles Elliott's testimony the expression of my own belief that the danger to the people of India from famine has become greatly less than it was; not only have the means of communication improved, and with them the facilities for bringing timely supplies of food into the threatened districts, but we have now a system of perfectly organised Returns carefully collated by the Department of Revenue and Agriculture, showing from time to time the condition of the population and the movement of the prices of food supplies—returns which render it almost impossible for the Government to be, as they were before these precautionary measures had been taken, surprised by sudden and unexpected calamities of this kind. It is, therefore, I think, clear that Lord Elgin's Government are amply justified in suspending the Famine Grant so far as it was possible to do so. A part of it was already pledged, but 107 lakhs out of 150 lakhs were available and were very properly hypothecated. The deficit was thus reduced to 250 lakhs, if Mr. Westland's first figure be accepted as the point of departure, and there was one source only from which the bulk of it could be made good. An all round tariff of Import Duties at the rate of 5 per cent. *ad valorem* would have given a sum which may be estimated at from 225 to 250 lakhs, and with this addition to their income the Government would have had an equili-

brium, or at all events a small deficit only, without further trouble. Now, my Lords, there is no question whatever that if the Government of India had been left to itself it would have taken this step. But it had to reckon with the Secretary of State, and the Secretary of State had to reckon with Manchester. On the very day on which Mr. Westland introduced his Tariff Bill, an influential deputation waited upon the noble Earl the Secretary of State for the Colonies, who was then Secretary of State for India, and urged upon him the inexpediency of allowing the Government of India to tax imported cottons. The noble Earl announced that it had been decided by Her Majesty's Government that there was not to be a re-imposition of duties upon cotton goods—a statement which is reported to have been received with loud cheers by the deputation. The noble Earl was, however, perfectly frank, and he went on as follows :—

“I should be uncandid if I did not tell you that there is in India an extremely strong feeling the other way.”

But he went on to say—

“The matter is perfectly at rest so far as the present time is concerned, and it is highly satisfactory to me to be able to make this announcement to you to-day.”

A statement to the same effect was made by Mr. Westland in the Viceroy's Council when he introduced the Tariff Bill, and was repeated by him a few days later when that measure came up for discussion. Then, my Lords, took place those remarkable discussions in the Viceroy's Council, the Reports of which are before the House. All I need say with regard to them is that upon the merits not one single Member, official or unofficial, approved of the decision of Her Majesty's Government, or accepted it, save under a more or less emphatically worded protest, and with an expression of hope that the last word had not been spoken by the India Office. Let me point out to the House what were the results of this decision of Her Majesty's Government. The import duties, without the inclusion of cotton goods, yielded only 114 lakhs, instead of the 225 or 250 lakhs which would have been obtained if the cottons had not been exempted. Instead of an equilibrium or an approach to it, Mr. Westland found

himself, taking the original deficit of 350 lakhs as the point of departure, with a deficit of about 130 lakhs, for which provision had somehow or other to be made. Well, my Lords, what has happened? To begin with, part of the balance to the credit of the Provincial Governments was appropriated; in other words, the financial contracts recently entered into between the Government of India and the Local Governments were broken for the purpose of making good the deficit of the Imperial Exchequer. Let me read your Lordships the words in which Mr. Westland refers to this measure. In Paragraph 27 of the Financial Statement your Lordships will find the following passage :—

“The Government of India were most unwilling to have recourse to a measure which practically means the stoppage for the time of all administrative improvements; a measure which they feel must take the heart out of Provincial Governments by making them surrender all the fruits of careful administration to fill the yawning gulf of our sterling payments.”

My Lords, I remember that on one occasion, while I was connected with the Government of India, we found ourselves obliged to ask the Local Governments for a benevolence of this kind. I always regretted it, and I feel very strongly that Mr. Westland was using no exaggerated language when he said that such action must have the effect both of stopping all administrative improvement, and taking the heart out of the Provincial Governments. From this source 40 lakhs out of 130 were obtained. In providing the sum which remained the Financial Department had literally to make bricks without straw. Twenty lakhs or thereabouts were obtained by reducing the grant for military works, and 17 or 18 lakhs more “by cutting out,” to use Mr. Westland's language—

“Practically every new work upon the civil side to which the Government of India was not absolutely committed.”

If your Lordships wish to know what these reductions mean, I would beg you to read the eloquent speech delivered in the Viceroy's Council by Sir Griffith Evans on the 27th of March, in which this part of the case is dealt with. You will find the passage at p. 99 of the Blue Book. Sir Griffith Evans says—

“It is not suggested that these works are not necessary or that this expenditure can be permanently avoided. . . . It means totally to

arrest all development. . . . The barracks required in Upper Burma will not be built.

. . . . The sanitary measures required for the Army in India will not be carried; and worst of all, the proposed improved arrangements for water supply for the troops all over India must stand over. This means preventable sickness and preventable deaths among our troops. The dreadful scourge of enteric fever is to run its course unchecked."

These, my Lords, are not the words of an agitator, or of a disloyal newspaper, but of the leader of the Calcutta Bar, a gentleman who has for many years been a member of the Viceroy's Council, and whose loyalty to the British Government is altogether beyond suspicion. No wonder, my Lords, that at the conclusion of his financial statement Mr. Westland made the observation that the means which he had adopted for nearly balancing his revenue and expenditure were means which would hardly be available a second time. And after all, my Lords, after the absorption of the Famine Grant, the appropriation of the provincial balances, and the abandonment of necessary works, the magnificent result was to leave the Government of India with a prospective deficit of 30 lakhs, and this, although the exchange value of the rupee had been estimated at 1s. 2d., a rate which, as your Lordships are aware, has not since been maintained. The financial results were, however, nothing as compared with the political effect which has been produced by the exemption. It is no exaggeration to say that it has evoked a feeling of universal disappointment—I should not be wrong if I said a feeling of universal indignation throughout India. What are the grounds upon which this special favour denied to all other imports has been shown to the imports of cotton goods? It has been said that the resolutions passed by the House of Commons in 1875 and 1879 are obligatory. I do not suppose that it will be seriously contended that, if a sufficient case can be shown, a Parliamentary Resolution carried under one particular set of circumstances must remain for all time and under wholly different circumstances, as a kind of law of the Medes and Persians which altereth not. I have told the House what those Resolutions were: one of them has reference to the interests of the Indian consumer, and I noticed that when the deputation, to which I have already referred, called upon the noble

Earl, the principal spokesman stated his case upon the assertion that—

"the imposition of these duties would involve a great hardship upon the poor Indian consumer."

The present Secretary of State also, I observe, spoke very strongly of the injustice of making the consumer pay for the benefit of the Indian manufacturer. I confess that while I am the first to admit that the case presents very considerable difficulties, I am a little incredulous as to the grievance of the Indian consumer. What is the argument? We are told that if the price of imported cottons is enhanced by the addition of the duty, the price of all other cottons will be raised, and it is urged that the additional cost will in all cases fall upon the consumer, that the amount by which the price is raised would, in the case of imported cotton, go into the pocket of the Government, and in the case of cottons produced in India, into the pocket of the manufacturer. It is obvious that if the Indian manufacturer puts up his prices by an amount equal to the duty payable by imported cottons, the Indian-made goods will gain no advantage in respect of cheapness, and to this extent the grievance of the British competitor would disappear. But, of course, the Indian manufacturer may add to his prices something less than the whole of the duty; in that case he will get his protection, and the consumers may have to submit to a more or less increased price. But let us see what is the extent of the consumer's grievance. A 5 per cent. duty is equal to about $\frac{1}{2}$ d. in the 1s., or less than one anna in the rupee. Now, I doubt extremely whether, as far as the Indian consumer is concerned, this addition to the price of those cotton goods which might be affected would be very seriously felt. At any rate, it is our duty to remember that the Indian consumer, so far as he has an articulate voice, is asking you to put an end to this exemption. You may say that he knows nothing about these questions. That may be true, but your Lordships may take it as beyond doubt that if you could get at the consumer's opinion you would find that he greatly preferred an infinitesimally small increase in the price of cotton cloths to an addition to the Salt Tax, and certainly to any kind of direct taxation,

The Marquess of Lansdowne

and it is to some taxation of this kind that the Government of India will have to turn if it is deprived of the revenue which the Cotton Duties would yield. It is stated confidently by those best qualified to offer an opinion that while the duties upon imported cotton goods were still in force the consumer did not feel them, or know that he was being taxed. A well-known member of the Legislative Council, the President of the Calcutta Chamber of Commerce, estimated the incidence of these duties as equivalent to something like $\frac{1}{2}$ d. per head of the population. It is interesting to note how this point was regarded when the question was discussed nearly 20 years ago between the Government of India and the Secretary of State. I quote the following from a Despatch addressed by the noble Marquess opposite to the Government of India on the 15th of April, 1875, when this question was under discussion. The noble Marquess wrote that—

“In the presence of influences so powerful”

(the noble Marquess was referring to the rapid development of the Indian industry)

“the effect of the 5 per cent. duty was probably insignificant.”

He went on to say—

“An importance, however, which I think exaggerated, has been attached to it by the cotton manufacturers both in England and Bombay.”

In the same Despatch the noble Marquess proceeded—

“If it were true that this duty is the means of excluding English competition, and thereby raising the price of a necessary of life to the vast masses of Indian consumers, it is unnecessary for me to remark that it would be open to economical objections of the gravest kind. I do not attribute to it any such effect, but I cannot be insensible to the political evils which arise from the prevalent belief upon this matter.”

I shall have a few words to say presently as to the political aspect of the question, but I trust that I have said enough to show that the alleged consumer's grievance is not one to which your Lordships would be justified in attaching too much weight. Then, my Lords, we are told that the duties are protective and inconsistent with our Free Trade principles. My Lords, I hope we shall not allow our affection for Free Trade principles to degenerate into mere

bigotry. So far as the question of principle is concerned, I object altogether to the doctrine that, because we are believers in Free Trade, India is to be absolutely precluded from raising revenue by any taxation which, although imposed for revenue purposes, incidentally protects one industry or another. A more dangerous doctrine I cannot conceive. I have already pointed out that in the case of India a general tariff must necessarily be, to some extent, protective in its results. My Lords, I am aware of the dangers which surround the colonial analogy, and I should be the last to claim for India the kind of fiscal independence which is enjoyed by Canada or the Australian Colonies, but we cannot, when we are discussing this question, altogether exclude from consideration the fact that we allow our colonies to raise revenue by duties which are designedly protective, and which have undoubtedly had the effect of considerably hampering our own trade. So long as the colonies do not discriminate against the mother country we do not raise a finger, and they have at times been perilously near arriving at this point. You cannot, therefore, prevent people from asking why we swallow the colonial camel and strain at the Indian gnat. It is most desirable that we should know exactly to what extent protection would be given if these duties were imposed. Would it be so great that our trade would be crippled or destroyed? If this was the case it is clear that the duty would yield no revenue and would, therefore, fail to effect the purpose for which it was imposed. We know, however, that Indian cottons do not compete, or compete to a slight extent only, with our finer cotton goods; it is only in the case of coarser goods that there is any competition to speak of.

“Manchester and Bombay,”

to use the words of Mr. Westland,

“overlap to a certain extent, but the area which Manchester occupies, and must continue to occupy without competition, is very wide and comprehensive.”

That is the statement of the expert adviser of Lord Elgin's Government. Do Her Majesty's Government accept it? By the last mail I received the report of an interesting discussion which took place last month of the Bombay Millowners' Association. A very re-

markable statement was then made by Mr. G. Cotton, the president of the association. I quote the following from his speech :—

"We do not enter into competition with Lancashire, nor can she compete with us, and I may mention that this week I have declined to quote even for 24s., because our machinery can be more profitably employed on 6s., 8s., 10s., 16s., and 20s. Lancashire does not, I venture to say, export to this country any goods or yarns which average under 24s."

He proceeds to give, in a tabular form, figures showing, as to yarns, the production of all the mills in India except one for 1893, and he says (and apparently the figures bear out the statement) that—

"They show that 20 per cent. of our production is under 10s., that 79 per cent. is under 20s., and only 19½ per cent. is between 20s. and 30s., 1½ per cent. between 30s. and 40s., and 1.8 per cent. over 40s. I regret that we could not get the figures between 20s. and 24s., as I am sure that we would find that fully 10 per cent. are 20½s. and 21s., and a good 5 per cent. 22s. to 24s., so that fully 94 per cent. of our spinnings are counts that Lancashire does not send, and has not sent us for years."

Are these figures, which I must say seem to me a little surprising, accepted by Her Majesty's Government, or can they be explained away, and, if so, to what extent? We must, however, I think, concede that to some extent these duties, unless accompanied by a counter-vailing Excise Duty, would be protective. Well, my Lords, as to that, let me say that even if it be true that to some slight extent Indian mills will get an advantage from the taxation of British goods, I, for one, deprecate the contention that this objection is fatal. The Indian millowners have had a good many trials of late. Our currency legislation has for the time disturbed their business. We have imposed upon them factory legislation conceived upon European rather than Indian lines; and, in this very tariff which we are discussing, their dye stuffs and chemicals, which enter very largely into the cost of production, are taxed. It is stated that the duty on these is equal to more than 1 per cent. on the cost of production. I confess that unless you are able to show that by taxing these imports you would give to the Indian mills an amount of protection which would seriously cripple British competition, and thereby lose you the revenue of which you are in need, I should not

regret to see these millowners get a little of the smooth as well as the rough. My Lords, if it comes to the question of protection, let us, at any rate, be consistent. If protection be indeed the unclean thing, and we are to rule out every duty which is protective in its effect, the tariff which the Secretary of State has already sanctioned is altogether inadmissible. At some points it is protective in the interests of the English manufacturer. The Government of India is, as I have just pointed out, about to take toll of the dye stuffs and metals used by the Indian millers, who will, to that extent, be subject to a penalty from which their British competitors are free. But that is by no means all. The new tariff includes Import Duties upon papers and woollens, both of which commodities are to a considerable extent manufactured in India. The manufacture of paper, in particular, is making great strides in that country. Every one of these newly-built paper mills will receive a certain amount of protection by the tariff. I could mention other cases, but the fact is, that the tariff, as a whole, hangs together, and it is impossible to make exceptions without creating anomalies and producing injustice. As for the Cotton Duties, I do not believe that Sir Evelyn Baring was guilty of any exaggeration when in 1872 he told the Viceroy's Legislative Council that, if the case were argued upon the ground of Free Trade or Protection,

"The arguments in favour of abolishing the general Import Duties were even stronger than those which could be adduced in respect of the abolition of the Cotton Duties. The maintenance of the former, if the latter be abolished, would from every point of view be open to objection."

We have reversed the process, we are imposing general duties, and giving exemption to the commodity which, in Sir Evelyn Baring's opinion, had the least claim of all to such indulgence. My Lords, the question is really a question of revenue, and these arguments founded upon the sanctity of Free Trade principles are, if I may be allowed to say so, beside the mark. Even if they had more weight, they would weigh as nothing compared with the political considerations which are involved, and which require a much fuller explanation than we have yet received of the intentions of Her Majesty's Government. It is impossible

The Marquess of Lansdowne

to exaggerate the intensity of feeling which this piece of fiscal favouritism has produced in India. Those who have had the longest experience in that country say unhesitatingly that public opinion never was so unanimous; from the Members of the Viceroy's Council to the humblest classes, the people of India are solid upon the subject. The case has been stated during the discussions in Council, at public meetings, and in the newspapers with merciless logic. Judgment has gone by default; there is no reply. Those from whom an official apology for the measure might have been expected have refused to make it. All that they are able to say is that they are acting under orders from Home, and that there is reason to hope that those orders may be reconsidered. In the meanwhile the public sees the Government of India cutting down expenditure, starving useful public works, and appropriating the economies of the Local Governments, merely because, as they are told, political exigencies render it impossible for the Secretary of State to give way. The time has, I think, come when we may reasonably ask Her Majesty's Government to take us more fully into their confidence. There never was a moment when it was more necessary to avoid creating an impression that our financial policy in India was dictated by selfish considerations. I am not one of those who regard with exaggerated alarm every bazaar rumour which may be telegraphed over to this country from India, but it is idle to conceal from ourselves that many causes are at work which should make us pause before we do anything to shake the confidence of the people in the absolute disinterestedness of our rule. Western ideas are spreading with rapidity in the minds of an Eastern population, not yet by any means fitted to receive them. The Press takes advantage of the wide measure of liberty which it enjoys to speak its mind with a licence that would not be tolerated by the rulers of any other Eastern country. The Government must make up its mind to be misrepresented, and may in ordinary cases console itself by the hope that the truth will prevail, and the reflection that a good deal of the vituperation is not very sincere, but it should think twice before it supplies the party of

agitation with a real grievance and with the materials for an indictment to which no reply has been made, because no reply has been possible. We have lately, I think most wisely, extended the functions of the Indian Legislative Councils; we have added to them a certain number of members owing their appointment, not to nomination from above, but to the recommendation of their fellow-countrymen, and we have given to the Councils thus reformed and reconstituted the right of discussing the financial proposals, both of the local and of the Imperial Governments. We have also given them the right, of which they are already availing themselves freely, of questioning the Government upon matters of public importance. It is at such a moment as this that we are adopting a course which has had the effect of supplying every ill-wisher of the British Government with a whole arsenal of arguments. At the moment when we are increasing the constitutional privileges of our Indian fellow-subjects, and giving them new opportunities of scrutinising our management of their finances, we are denying to the Government of the Indian Empire even a few shreds of the financial independence which every one of our self-governing colonies enjoys to the fullest extent. There is only one satisfactory feature about this painful subject, and that is that it has been made abundantly clear to us that Her Majesty's Government have not said their last word upon the matter. I trust that we shall be able to elicit from them this evening some announcement which will come as a relief to public feeling, official and unofficial, in India. What has been done is either right or wrong. If it is right, let us have the whole of the argument and let us say boldly that nothing will induce us to depart from our decision; but if it is wrong, as I for one believe that it is, if no sound arguments are forthcoming in support of the position taken up at first by the Secretary of State, then let us, at whatever cost, make a clean breast of it, and show the people of India that it is a gross libel to say that either of the great political Parties in this country will, for the sake of a passing advantage, deny to them the fair play which they expect at their hands.

*THE UNDER SECRETARY OF STATE FOR INDIA (Lord REAY): My Lords, I have listened with the greatest attention to the very dispassionate speech in which the noble Marquess has brought before us a subject of very grave importance. I will mention at the outset that with regard to any observations on the past action of the Government I shall leave the reply to the noble Earl (Lord Kimberley), as he ordered that these duties should not be imposed. Instructions to that effect were given before I joined the India Office. What the noble Marquess has asked with regard to the present state of affairs I am prepared to answer. I am not prepared to answer his question as to the figure at which the Government estimates the deficit that may arise in the Budget of the present year. I should have thought that the noble Marquess himself must feel that, with exchange fluctuating as it does, it would be impossible to make any estimate of what the deficit may ultimately amount to. I am, however, glad to be able to mention that the last accounts received from India as to the financial situation are not of a nature to cause alarm at this moment. As to what the noble Marquess has said about starving the Services, I certainly shall not deny that the various Services are subject at this moment to a *régime* of very rigid economy. It is, however, a result of the temporary nature of the financial situation, and economy is not identical with starvation. The financial situation has been correctly described in the Viceroy's Council in the following words by the Financial Member:—

"It is a serious confession to make, but nevertheless, it is true, that our financial position in the immediate future depends on circumstances absolutely outside our control, and that we can do little more than watch in which direction the forces are working, which will, in the end, either bring us security from these perpetual variations, or still more serious trouble than any we have had as yet to provide against."

This situation is provisional and temporary, and consequently it is impossible to make any definite forecast. I do not suppose that the noble Marquess urges that Supplementary Estimates should be introduced into the Budget without absolute necessity for such a course. He must be well aware of its inconvenience.

If, however, Supplementary Estimates become imperative, they will have to be considered. With regard to Public Works, the situation does not justify the criticism that they are starved. On March 31, 1894, the total length of railway, of all gauges, open in India was 18,500 miles, showing an increase of 458 miles over the open mileage at the corresponding period of the previous year. On the same date there were 1,922½ miles which had been sanctioned but were not yet opened; so that the total sanctioned mileage, including lines already opened, amounted to 20,422½ miles. During the year 1893-94 sanction was given to the construction of additional mileage to the extent of 154½ miles; but after allowing for deductions on account of lines abandoned or in abeyance and minor corrections of mileage the sanctioned mileage on March 31, 1894, exceeded the sanctioned mileage on March 31, 1893, by only 27½ miles. Although no large schemes have been actually sanctioned during the past financial year, several large works are at present in hand or in contemplation, among them the East Coast Railway, of which it is expected that 200 miles more will be opened during the present year. Progress is being made with the Assam-Bengal Railway, which is in the hands of a company. The length of line included in this scheme is 742 miles. The construction of the Mu Valley Railway beyond Wuntho, in Burma, 156 miles, is being steadily pushed on. On the north-west frontier work is proceeding on the Muskaf-Bolan Railway, 86 miles, and to some extent on the Mari Attock line, 85 miles. The railway from Bareilly, *via* Rampur to Moradabad, 56 miles, and the Godra-Rutlam Railway, 115 miles, may also be mentioned. The latter is very near completion. Of the schemes in immediate contemplation the most important is the Delhi-Bhathinda Samasata project. This railway will be about 400 miles in length and is estimated to cost about 277 lakhs of rupees. It may be mentioned that in September last the Government of India issued a circular offering terms on which the Government would be prepared to consider offers for the construction, by the agency of private companies, of branch lines or extensions of existing railways. In the Budget the total outlay for construction of railways including

protective railways—although the Famine Insurance Fund has been suspended—is only reduced from Rx.4,027,000 in 1893-94 to Rx.3,450,000 in this year. I was very glad to hear the noble Marquess say that he had no objection to a temporary suspension of the Famine grant, and that he concurred in the views which Sir Charles Elliott laid before the Viceroy's Council. The noble Marquess has said that this is a practical Revenue question. In that I agree. If these duties have to be imposed, it is simply for raising Revenue; and, in so far as they would operate as protective duties, they would be inoperative as Revenue duties. The problem, therefore, which may ultimately have to be solved is, what kind of duties the Government can impose which will be paid into their own Treasury, and recovered from the purchasers of the goods. Now, my Lord, in these figures which the noble Marquess has quoted, and which I also have read with the greatest interest as given at the annual meeting of the Bombay Millowners' Association, there is one very important feature, that, whereas in 1879, no yarns above 30's were manufactured in India, yarns above 30's are now manufactured if only to a limited extent. It is quite true that these form only a small part of the yarns manufactured in India, but it is obvious that the moment you introduce a duty, the manufacture of yarns above 30's would increase. A well-known authority on these matters—Mr. O'Connor—has gone so far as to say that it would be necessary to exempt all yarns and all piece-goods under 60's, leaving only a very small quantity on which the duty could be raised. You will, therefore, for practical Revenue purposes, have to contemplate the prospect of countervailing duties—a matter which is very complex, and which will require very mature examination. This it will receive at the hands of the Government. The present position is stated as follows, in the words of the Viceroy to his Council:—

"I am able to state that if, after an interval sufficient to judge of the position as affected by the Tariff Act, the course of exchange, and other circumstances, there is no improvement, Her Majesty's Government will be prepared to receive a further representation on the subject." That representation has not yet been received, because the latest accounts of

the financial position in India are not alarming. The balances, which stood last year at this time at 15 crores stand now at 25 crores, and the present situation, indeed, is so little alarming that it has been found possible to invite tenders for the reduction of the interest on part of the debt. No blame can, therefore, be imputed to the Government of India for not having urged on the Home Government the necessity of immediate action on this subject. I claim for the Government of India absolute freedom to act in this matter as they may think opportune; but I also claim for ourselves entire freedom to consider any proposals when they are submitted to us, as it would be highly prejudicial to the interests of India in any way to bind the hands either of the Government of India or of the Government at home by any premature declaration on this occasion. But before I sit down I wish to give the noble Marquess this assurance: that Her Majesty's Government are well aware that the finances of India require close watching, and that the interests of India ought not to be, and should not be, sacrificed to any extraneous consideration. The House may feel satisfied that the Government do not consider this to be in any sense a Party question, but that they will have regard to the interests of India, and to those interests alone, in any future action which may be taken in connection with this most important subject, relying upon the support which your Lordships have always given to measures calculated to benefit Her Majesty's subjects in India.

***LORD ROBERTS OF KANDAHAR** said, the noble Marquess, whose five years' recent experience at the head of the Government of India enabled him to speak on the question before the House with an authority which no one else could claim, had so fully explained the object of the Motion brought forward for consideration that he would not venture to take up their Lordships' time with any words of his, did he not feel that he was bound by all he owed to India, and by his regard for, and intimate acquaintance with, its people, to tell what they thought of the question. He would, therefore, offer no apology for asking the House to listen to him for a few moments. The people of India thought that, by

prohibiting the extension of the Import Duties, levied under the Tariff Act of 1894, to cotton goods, the interests of their country were being sacrificed to the interests of this country. This was a feeling which ought not, which he thought must not, be allowed to continue. While, as a soldier, he believed that the prosperity of India depended on the maintenance of our naval and military supremacy; as an Englishman, who had lived for more than 40 years in that country, he knew that it depended to even a greater extent upon the contentment of the population, and their belief in the advantages of British rule. The extraordinary position we occupied in India was mainly due to the natives' firm reliance on our integrity and honesty of purpose, and on our determination to do what was right and best for them. If this feeling were once destroyed, the consequences would be disastrous. It was, indeed, this implicit trust in the uprightness of the British character which enabled a single English magistrate to keep peace and order in a district far larger than the largest county in the United Kingdom, amongst divers races, differing in religion, and often bitterly hostile to each other—a unique kind of influence which, he ventured to think, was unknown in any other part of the world, of which this nation might justly be proud, and without which we could not continue to hold India. The noble Marquess had shown how difficult it would be to make any material military retrenchment; but he would remind their Lordships that the Army in India was out of all proportion small to the extent of frontier, more than 5,000 miles of which it had to guard; the enormous area, upwards of 100,000,000 of square miles, over which it was scattered; and the population, numbering nearly 300,000,000, it was supposed to control. If, when the hour of trial came, we had only our few troops, our guns, and our forts to rely upon; if we had lost the confidence of the people; and if our feudatories were not loyal to us, it would go hard with us. The faith of the natives of India in our fair dealing must never be shaken. To show how strong that faith still was, he would read an extract from a letter he received a short time ago from a nobleman in Calcutta, the Maharajah Sir Jotendro Mohun Tagore, than whom

Lord Roberts of Kandahar

there was no more loyal subject or enlightened gentleman in Her Majesty's dominions. In referring to a remark made by himself in a letter to which this was a reply, the Maharajah says—

“You tell me there is every desire in England to deal fairly by India as regards the cotton duties matter, and I may say that it is precisely because we are so sure of England's fair dealing that we appeal to her whenever there is any matter for complaint. If we had no faith in England and Englishmen all agitation would have ceased and there would have been a death-like calmness—not perhaps a very desirable thing in the political world of India.”

VISCOUNT CROSS: My Lords, I should like to say one or two words in this matter—they shall be very few. I cannot help knowing what a deep feeling there is all over India in regard to this question. I must press upon your Lordships the importance of one point alluded to by the noble Marquess, and that is the change which has been brought about in the position of the people of India by the reconstitution of the Indian Councils, by means of which the feeling of the people of India will be made much more known both here and in India than hitherto has been the case. Members of the Councils will now be appointed from among the people themselves, and Parliament must not forget that the power given to those Councils will probably become very great. I do not think the noble Marquess has in the least exaggerated the difficulties of the Finance Minister in India, who cannot tell whether he is to budget for a deficiency or not. No one can possibly exaggerate the lamentable and damaging fact that all the public works in India are practically stopped. I think the noble Lord the Under Secretary of State said that during the last 12 months 27 miles of railway were all that had been completed.

LORD REAY: I said sanctioned in addition—

VISCOUNT CROSS: I mean that only 27 miles had been added. I have had a good deal to do with the increase of the railways in India, and I believe that no greater benefit can be conferred on the country than by a vast increase in the mileage of Indian railways. Wherever a railway is opened civilisation and prosperity follows. If 27 miles is the only addition that has been made in the course of 12 months to the existing railways I

think it is one of the most lamentable facts that could be laid before us.

***LORD REAY:** I have stated the sanctioned mileage in contemplation, which is 1,922 miles; 27 miles merely represents the additional net mileage sanctioned.

***VISCOUNT CROSS:** I have not the smallest doubt that there are other railways in contemplation; but they cannot be carried out. In the present financial condition of India it is impossible that can be done. I endeavoured when I was at the India Office to multiply the number of miles that were made; I believe we made them at one time at the rate of 1,000 miles a year. But that is practically stopped. You might go on making railways at the rate of 1,000 miles a year with the greatest possible benefit to the people of India, and yet it appears that only 27 miles have this year been made. This is one of the greatest calamities that could happen. But it is not only the railways. The irrigation works also are being stopped. If one thing is wanted more than another in India it is irrigation, because if works for that purpose were carried out they would turn what is practically desert into fruitful and fertile places, where the inhabitants of the country could live and prosper. It is not simply a question for the future; it is of the highest importance in the present. Again, it is not only the railways and irrigation works that are stopped, but works which are absolutely necessary for the health of the Army from one end of the country to the other. All those works are stopped on account of the want of funds. The noble Lord opposite (**Lord Reay**) said that this is only a temporary matter. I wish we knew that it was really so, and that we had got to the bottom of the hill; but I am sure the noble Lord knows no better than I do whether we have or not, and this is a case which is really deserving of the most serious attention of the Government. I am disappointed in looking through the Blue Book to find no correspondence published between the Indian Government and the Government at home. The noble Marquess wanted to know the reasons why the Government took this course, and one would naturally look for a reply in that correspond-

ence. What is the use of giving us a number of Blue Books when the one thing we want is not contained in them? The one thing the noble Marquess asks for is not to be found. The noble Lord who has just spoken on behalf of the India Office has given no answer to that question. Probably the noble Earl opposite (**Lord Kimberley**) will answer it before this Debate concludes. All I desire to add is, and I have always said so with regard to the affairs of India—this is no Party question whatever. I hope it will be a long time before that should prove to be the case, and it has been greatly to the advantage of India that it has not been the case hitherto. I must say, in conclusion, this is a matter which must be decided by the Government of the day. It is for them to say whether the course which has hitherto been adopted should be persisted in or not. They have the information which we could not get for the purpose of judging what is right and what is wrong. I observe that in the Debates in the Indian Council one member, who is also a millowner, said he would be very glad if the Import Duties were re-enacted—that there should be an Excise Duty imposed on cotton manufactured in India, though he points out how difficult it would be to collect, especially if you went beyond the cotton manufactures. It is, however, something for a millowner himself to say that if you do re-impose these Cotton Duties you should also be at liberty to impose an Excise Duty upon the manufacture of goods in India itself. All these are matters for the Government to consider. Do they believe that without the reimposition of these duties the Indian finances can be properly balanced? If they do, there is an end of the question; if not, are the duties not to be imposed simply on account of some fad about Free Trade which ought not to enter into the discussion of any question between great countries like England and India? At the same time, the Resolution of the House of Commons still stands, and is no doubt not lightly to be upset. It is, as I said before, a question for the Government of the day. I am sure if they saw their way to balance the finances of India without re-imposing these duties they would be happy to do so; but if they cannot find any other way of doing it, what is to be

done? It is entirely for them. If they can avoid doing this, well and good; but if they cannot balance the finances of India without re-imposing this particular tax, of course they will, at the proper time, reconsider the question, and probably re-impose it.

*THE SECRETARY OF STATE FOR FOREIGN AFFAIRS (THE EARL OF KIMBERLEY): Before I make any other remark, I must thank the noble Marquess for the fair, temperate, and admirably clear manner in which he has brought this subject before the House. In regard to what the noble Viscount has just said as to the number of miles of railway my noble Friend has been somewhat misunderstood. What he stated was that during the year 1893-4 sanction was given to the construction of additional mileage to the extent of 154 miles, and that the sanctioned mileage in March, 1894, exceeded the sanctioned mileage on the 31st of March, 1893, by only 27 miles. That, of course, is a very different statement. I may also add, as illustrating the exact position, that the total outlay on the construction of railways, including protective railways, was, on the whole, only reduced from Rs.4,027,000 in 1893-4 to Rs.3,450,000 in the present financial year. My Lords, though making that correction, I am not in the slightest degree disposed to question what the noble Viscount said with regard to the lamentable results of the great diminution which has occurred in Indian available revenues owing to the fall in the exchange. That fact has caused the whole of the embarrassment we have now to consider. It cannot be questioned for a moment that large reductions in expenditure suddenly made bring with them considerable inconvenience by the dislocation of works, and so forth, and I thoroughly share the noble Viscount's opinion, that it is greatly to be regretted that, even if there be no considerable reduction in the expenditure on railways, at all events the progressive increase in that expenditure which we desire to see is stopped, and I agree with the noble Viscount that it may be stopped possibly for some considerable time. The noble Marquess made one remark with which I cannot entirely agree. He spoke of the suspension of the Famine Fund as a reversal of the famine policy. It cannot be termed a reversal of the famine policy.

Viscount Cross

It has on previous occasions been found necessary, and, I think, during the time the noble Viscount was in Office, owing to temporary financial difficulties, to suspend the famine grant, and I wish to point out to the House that it is by no means so serious a step now as it would have been a few years ago. When the grant was instituted you had first to provide a fund to meet the possible occurrence of the same great famine, and, secondly, you desired to construct as rapidly as possible the railways, which were called famine railways, which would enable you to convey supplies into territories affected by famine, and so prevent the lamentable results which might otherwise ensue. The result of that policy, which has been going on ever since the institution of the famine grant, is that you have constructed most of the railways which were regarded by the Famine Commission as urgently necessary—I believe not very far from the whole of them. The construction of these railways has diminished the necessity for laying by the fund for this reason; that there is every reason to hope that it is scarcely possible for a famine with such results as former famines had to occur, because by timely measures and by all the advantages of better communication you would be able to prevent such disastrous results to a very considerable extent as you had formerly to meet. For that reason the famine grant has been one which may be taken advantage of by the Government of India upon emergency; and upon the present emergency it is perfectly justifiable, in my opinion, to make that suspension. It must not be supposed that the mere reimposition of the Cotton Duties would give you all the relief you want, supposing it were done. The condition of the finances of India is so uncertain, the future is so obscure, and the difficulty of making any trustworthy forecast is so great that you cannot by any means be certain that you will meet the difficulty by any one particular expedient, and, in any event, I think it would be sanguine to suppose that you must not look forward to a period—possibly for some time—when you will not be able to make such expenditures upon public works as were fortunately quite possible during a portion of the time when the noble Marquess was Viceroy of India, and when he had the good fortune

to have an overflowing Exchequer. Having made these few general remarks, I will now come to what is the real and more immediate matter for us to consider—namely, this question of the re-imposition of the Cotton Duties and the reasons why Her Majesty's Government did not when the Budget of the present year was framed, give their consent to that re-imposition. It is necessary to understand the precise history of this question. The first important document was a despatch from the noble Marquess opposite (Lord Salisbury), dated July 15, 1875, in which the noble Marquess drew attention to the effect of the duty on the coarser class of cotton goods and the necessity of removing a subject of dangerous contention as soon as the state of the finances would permit. That is a mere summary of the despatch. Again, in a Despatch on the 11th of November, 1875, the noble Marquess referred to the Import Duty in these words—

"as impeding the importation of an article of first necessity, and as tending to operate as a protective duty in favour of a native manufacture. It is thus inconsistent with the policy which Parliament, after very mature deliberation, has sanctioned, and which, on that account, it is not open to Her Majesty's Government to allow to be set aside, without special cause, in any part of the Empire under its direct control."

That seems to me to be a perfectly fair statement of the policy in the matter. I will not pursue all that was done before the Cotton Duties were ultimately repealed, because I do not think that is necessary for understanding the matter as it now stands. The noble Marquess referred to the Resolutions of the House of Commons. The second Resolution was certainly most unqualified in its terms. The noble Viscount spoke of a mere fad about Free Trade: but a Resolution of this kind by the House of Commons declaring that the duties operate as protective duties, and the Despatch from the Secretary of State at that time, then the noble Marquess opposite giving his opinion to the same effect shows that in the opinion at least of very high authorities this was not a mere fad of Free Trade, but involved questions of principle of a very serious kind. That then was the position of the question, and I would further wish the House to remember, what is often not sufficiently borne in mind in these discussions, that the objections entertained

in India to the removal of the duty upon cotton goods have always been entertained, and very strongly pressed ever since the Cotton Duties were repealed. The noble Marquess alluded to the answer I gave to the deputation from the Lancashire manufacturers, in which I reminded them that there had never been a moment, I believe, in India since the time when the Cotton Duties were repealed when there had not been more or less of an agitation, or, at all events, a continued very strong expression of opinion that an injustice had been done to India by the repeal of the Cotton Duties. I say it is extremely important to bear that in mind because you must not suppose that this agitation and strong feeling is merely the result of what has been done, or what has not been done, during the present year. The fact is, that as there had existed in India for years past an extremely strong feeling against the repeal of the duties upon cotton manufactures, a strong feeling not confined to the natives, but also very largely expressed by the Anglo-Indian community, the occasion which presented itself for pressing the matter still more strongly home owing to the difficulties in which the Government of India is placed by the deficit in its finances was naturally seized upon by all those who desire the re-imposition of the Cotton Duties, not merely because it might be necessary to meet the present emergency, but because they have invariably and continually insisted, in opposition to the policy of Parliament which has been adopted by both Parties in this country, that the duty upon cotton goods ought never to have been repealed. I do not by any means wish either to neglect or under-estimate the importance of that feeling. I think it is a very grave feature indeed in the consideration of the whole of this question. The only remark I would make upon it is this: That I do not believe that it is sound policy to consider these questions simply with reference to each member of the Empire without any consideration for the other members of it, and above all, strong as is my feeling in regard to allowing the Colonies the independence they enjoy, and fully as I share the opinions expressed to-night that you ought to have, in every respect, full regard for the interests of India, on the other hand, I say that we

have a right, as the head of a great Empire, to see that the interests of this country are also fully considered and that they are not neglected. The real difficulty we have to confront is how to conciliate all these interests, and an extremely difficult task it always must be. I come now to the actual position of affairs when I had the honour of holding the Seals as the Secretary of State for India and we had to deal with this difficult question. The matter presented itself to us practically in this form. I may say, without wearisome details, that the Estimates were put before us, and what appeared the best estimate that could be formed showed that in round numbers—and it is almost the exact figure—the deficit which would remain if the Import Duties, as they have been laid on, were imposed, without imposing duties upon cotton manufactures, would be Rx.300,000. We had then to consider whether it was desirable we should at once, then and there, consent to the re-imposition of these Cotton Duties, after the deliberate opinion of Parliament and the deliberate manner in which the policy of not imposing such duties had been accepted in this country before we had further experience of the condition of the finances of India, and, above all, before we knew what would be the result of our measures with regard to currency. I am not going to deal with that most abstruse question of currency, but everyone who has paid the slightest attention to it, more especially since the measure we adopted, must see how extraordinarily obscure is the whole matter, and how excessively difficult it is to form an estimate of its result. It seemed to us that to reverse under these circumstances the policy which had been adopted with regard to these Cotton Duties, without having further experience of what was likely to be—not merely for the moment, but was likely to be for some time the financial position of India—would be to pursue a most precipitate and unwise course. We thought, in all the circumstances of the case, although I admit the extreme difficulty of the matter, that on the whole it was better to accept a deficit of Rx.300,000, as estimated, and to wait until we had further experience of the effect of the currency measure and the general financial condition of India before pledging ourselves to any further step.

The Earl of Kimberley

That is the statement—and there is nothing to add to it—of the grounds upon which the Cabinet came to that conclusion. Now, my Lords, I am aware I may be very fairly told that in announcing that decision of the Government of India I had to do so contrary to the expressed opinion of the whole of my Council, or of those who were present. I think there were 11 present. That, again, was a step which, I must say, I had to take with extreme regret. I always had felt the greatest advantage from the advice I received from my Council, with whom, I am happy to say, although we differed, I was always on most harmonious terms. But in this particular matter, where the interests of this country as well as those of India were involved, and where we had to deal with a Resolution passed by Parliament, it was quite evident that it must be decided upon the responsibility of the Cabinet itself. At the same time, I admit that my Council were perfectly justified in placing before me in plain terms their opinion from an Indian point of view, and I do not think they were called upon or that I could require them to take a view of a larger kind, and they were—if I may venture to say so of men of so much ability—from the very nature of the case, not so well qualified to offer me a really authoritative opinion as to the considerable part of the question which was not merely Indian. There was another point which weighed very much with me. I may have over-estimated, but I do not think I did, the opposition which would be met with in this country. The noble Marquess alluded to the deputation which waited upon me. He said that that deputation received my announcement with loud cheering. It was a deputation, I believe, of the most influential kind that Lancashire could send up, and they did receive it with loud cheering. But there was something more. They told me in explicit terms—and, although I am not a Lancashire man, like the noble Viscount, I have always believed that the words of Lancashire men meant deeds—they told me that, without distinction of Party, there was not a man among them, or, they believed, in Lancashire, who was interested in these manufactures who would not use every possible means at his disposal to agitate against and destroy any such measure on

the part of the Government. It was not merely the effect that might have upon the Government of the day, but we had to consider what was of much more consequence, the effect it might have on the relations between this country and India. It seemed to me that if there could be one thing which would be more disastrous than another, it would be that the Government of this country should have announced that these Cotton Duties might be reimposed, and that then there should be violent agitation which might lead to some resolution of Parliament or expression of opinion contrary to that decision which I think would have embittered opinion in India far more than the course we took. We can defend the course we took upon the solid ground that it would have been unwise to take any premature step. But if we had once committed ourselves and there had been a reversal of our policy in consequence of agitation against it, then I think there would have been far more harm to our relations with India than by the course we adopted. I do not believe there was anything we could have done which was not open on one side or the other to grave objections. We took the course, after very careful and full deliberation, which we thought to be best, and I also authorised the Viceroy to make the statement to his Council in those words which the noble Marquess has read as to the attitude of Her Majesty's Government in regard to the future :—

"I am, therefore, able to state that if, after an interval sufficient to judge of the position as affected by the Act, the course of exchange, and other circumstances, there is no improvement, Her Majesty's Government would be prepared to receive a further representation on the subject."

That is how the matter stands. It rests with the Government of India, if they think it necessary, to make a representation to Her Majesty's Government at the time and in the manner they think best. The responsibility will then fall on the Government here to decide upon the course which they may take, but, as regards any indication of what may be the policy of the Government, I entirely agree with my noble Friend behind me that the very nature of the case precludes us from making any announcement. I will tell you why. Suppose I were to say the Government had con-

sidered the matter, and that if they should receive a representation they will be prepared to consent to this or that measure which may impose a duty, your Lordships will see at once what might be the result. It is obvious that whenever a duty is likely to be imposed the natural course is for the importers to take advantage of any interval which may exist to pour into the country where the duty is to be imposed as much of their manufactures as they can send over before the duty comes into effect, therefore it is quite clear that at the present time it would be highly improper that I or my noble Friend should give any indication beyond that I have already given—namely, that if the Government were to receive any representation from India upon the subject, it would be fully and carefully considered here. My Lords, I am not at the present time so well acquainted with the precise condition of the finances in India as to be able to give your Lordships any very accurate details, but I believe that although there has been a greater fall in the exchange even than was anticipated, still there has been such an improvement in some branches of the Revenue as practically leaves the matter at present much as it was when the Budget Estimate was made. What the future may bring forth it is extremely difficult to say. It is undoubtedly true that in the position in which India now stands it may be necessary to have recourse to measures which otherwise we should not adopt, and the noble Marquess opposite, in the passage I read, indicated very clearly that that was his opinion, when he said "except for special reasons," a reservation that I think was perfectly right. The only other thing I will say is this: I entirely agree with what my noble Friend behind said in conclusion, and although it is, in my opinion, our duty not to confine our view merely to India in the consideration of such questions as this, yet when an emergency arises in India we must have regard—it is our duty to have regard—in the first and principal place, to the interests and needs of India itself. More than that I do not think, my Lords, I can say. If there is any other explanation I can give I shall be happy to give it in reply to any questions.

THE EARL OF NORTHBROOK trusted in the few remarks he was about to make he should follow the excellent example set to him by his noble Friend the noble Marquess who had lately returned from India, and by the Secretary of State for Foreign Affairs, and that they should discuss this question with the greatest calmness and deliberation. At the same time, he must express his entire concurrence with what fell from the noble Viscount opposite, who regretted that in a matter of such importance as this they had before them no Despatches from the Secretary of State for India in Council and no Despatches from the Government of India. Lord Kimberley had felt it to be his duty to overrule the unanimous opinion of the Government of India, of every member, he believed, of the Legislative Council of India, and of the whole of the Council of the Secretary of State—the Council established by Parliament to advise the Secretary of State upon Indian matters, and who certainly ought not to be lightly overruled. In circumstances so grave, when a responsibility so tremendous had been undertaken by one individual as the mouthpiece of the Cabinet, he thought it was due to this country and to India that the reasons of the Government of India in proposing to impose this duty, the reasons for Her Majesty's Government declining to assent to that proposal, and the personal reasons of his noble Friend the Secretary of State for overruling his Council should be deliberately expressed and laid before Parliament, and thus given to this country and to India. The great powers which the Constitution undoubtedly gave to the Secretary of State for India ought not to be exercised in an important matter of this kind without publicity, and he thought of all the manners in which publicity could be given to those reasons the worst was probably that which was adopted by his noble Friend in his answer to the deputation from Lancashire, who were, no doubt, interested against the imposition of cotton duties. That fact of itself had created the very worst feeling in India, and would have been avoided if there had been a deliberate expression of opinion in well-weighed language in public Despatches. So far as to the manner in which this measure had been

taken by the Government, there could be no reason why, as far as he understood it, the whole correspondence should not be presented to Parliament. The Secretary of State for India the other day, in another place, was asked whether there was any proposal now before the Secretary of State for India in Council dealing with this question. He answered that there was no proposal. The correspondence, then, must be final and complete. The Viceroy, moreover, in his speech the other day in the Legislative Council of India, said publicly that the opinion of the Government of India would be seen in the papers that would be laid before Parliament. He should like to know where those Papers were? They, doubtless, were in the correspondence, but that correspondence appeared to be in the archives of the India Office. This, he thought, became of greater importance because, so far as he understood his noble Friend's explanation, he gave it to be understood in some way or other that the proposal to impose these duties was a revival of the opposition that was being made for many years for these duties having been taken off. If his noble Friend meant that the Government of India were influenced by any such considerations as that in making the proposal, it was surely only fair that the statement of the Government of India themselves should be presented to the world so that they could see whether there was any foundation for the supposition.

*THE EARL OF KIMBERLEY: I never intended for a moment to convey or suggest anything that could imply that the Government of India had taken that view. I said that was the view taken generally, but not by the Government.

THE EARL OF NORTHBROOK accepted his noble Friend's explanation, and, passing from that particular topic, expressed very great regret that his noble Friend did not feel himself in a position to indicate more clearly what the policy of the Government really was. He appeared to be ready, on the one hand, to assume the responsibility of overruling the Government of India, whilst on the other hand he did not seem to be ready to give the Government of India any help as to what the solution was to be of this question. His noble Friend said with some

plausibility that, of course, it was quite impossible for him to give any indication of his views in this matter, because the effect might be to derange the cotton trade and influence the exchanges, and might have some injurious effect on the Indian finances. His noble Friend might be reticent, but other people were not. Unfortunately, the trade was quite ready to see which way the wind was likely to blow, and to act in regard to their own interests upon their view. There was no secret in India about it as far as he understood. Only yesterday he got a recent copy of *The Bombay Gazette*, which stated that the fact that Mr. Westland, the Finance Minister of the Viceroy, was to go to Poonah and Bombay next month for the purpose of making himself familiar with matters affecting the cotton industry would be generally taken to mean that the re-imposition of the Cotton Duties had been decided upon. Then followed words which would show his noble Friend he need not be so apprehensive that he would do any harm by giving his opinions to the House. The writer stated that the anticipation of some such step had undoubtedly led to large speculative imports of Lancashire cottons, far beyond the actual requirements of the Indian market, with the result that stocks were unsaleable. This state of things would, no doubt, lead to a fall in prices and discourage imports for some time to come. In face of that how could his noble Friend suppose that any statement on his part could do any harm to the cotton trade in India? He thought some more explanation would not do any harm, but would tend to steady public feeling. The evil of all this had been that great excitement had arisen in India. He did not know whether the Government knew, but the people in India did not know what was going to happen in respect to this matter. The trade must be influenced by that, and he believed the sooner the Government of India and of this country could make up their mind on this important question the better it would be for trade, the better it would be for the honour and interest of the English Government, and the better it would be for all the parties concerned, both in India and in England. He was quite free to admit that the remarks made by his noble Friend the Secretary of State for Foreign Affairs as regarded

the disadvantage to the public interest of so important an interest as the cotton manufacture of Lancashire being in collision with the whole of the feeling, native and European, official and non-official in India, was a matter of very serious concern. He greatly regretted to hear what his noble Friend said, that any man in that deputation from Lancashire should have said if this duty were imposed, for whatever reason, there would not be a man in Lancashire who would not oppose that measure, because he had a better opinion of his fellow-countrymen in Lancashire than to believe for a moment that if the necessity should really arise, and if it could be proved that the measures taken dealt fairly with the Lancashire manufacturers, the feeling in Lancashire would be against the re-imposition of the Cotton Duties. He welcomed the words in which the leader of that deputation expressed himself—namely, that all that Lancashire wanted was fair-play and no favour. He greatly regretted that his noble Friend did not think it his duty, after full consideration of this question with the Government of India, to decide it before the Budget of this year. It appeared from the discussion in the Legislative Council that much correspondence had taken place upon the matter between the Government of India and the Secretary of State in Council. There could, therefore, have been no reason why the whole facts of this case should not have been before his noble Friend, and knowing, as he did, his great industry and ability, and the fairness of his mind, he felt satisfied that having these matters all before him he could have been of the greatest value to both Governments in bringing about a settlement of this question. His noble Friend appeared to him to attach too much weight to the Resolution passed by the other House of Parliament in 1879. He thought his noble Friend should have remembered that that Resolution was passed no less than 15 years ago, and, as the late Viceroy said in his speech, in different circumstances to those of the present time. It was passed after a controversy which lasted some time, and which ended, to his great satisfaction, in the repeal of almost all the Indian Import Duties by his distinguished relative Lord Cromer, then Sir Evelyn Baring, who was at that time Finance

Minister. No one who cared for India or this country could have failed to rejoice in getting rid of the subject of dispute between the two countries, and moreover no one with any knowledge of finance or commerce could fail to rejoice that the Government of India were then in such circumstances as that they were able to remove almost all the Import and Export Duties, and give to the world an example of almost perfect free trade, such as he believed no country in the world except theirs could give. The advantage of the trade of India was very great, and he regretted that the Government of India had been obliged to re-impose those duties. The reason he alluded to this Customs Tariff Reform in 1882 was because it had not been alluded to by previous speakers and it had a great bearing upon this question. The difference of opinion among those who had studied the question of Cotton Duties before that time was whether the Government of India were right in supposing that the protective effect of the duty of $3\frac{1}{2}$ per cent. upon yarn and of 5 per cent. upon cotton goods was great or small. The Government of India thought that the advantage that the Indian manufacturer had in having cotton supplied at his door, with cheap labour and perhaps some other advantages, would enable him to hold his own as against the Lancashire manufacturers in respect of all the coarser description of cotton goods. On the other hand, those who took the view of the Lancashire manufacturers in those days were strongly of opinion that the 5 per cent. Import Duty had a great prejudicial effect on the importation of Manchester manufactures into India. It was impossible at the time to prove whether the Government of India was right or the Manchester manufacturers were right. But now that they had had 12 years of Free Trade—of free competition, he should say, between the Indian manufacturers and the Lancashire manufacturers—they could judge what the real condition of the trade was much better than they could in the year 1879, and he thought that should have been in the mind of Lord Kimberley when he attached so much weight to the Resolution of the House of Commons of 1879. The result had been to show that the Government of India was correct in their supposition that in reality the effect of free competi-

tion was to give the whole of the trade in low class manufactures and low-class yarn to the Indian manufactures mainly from Bombay, and to give to the manufacturers of Lancashire the whole of the trade in the finer goods manufactured from the long staple cottons of the United States of America and manufactured by processes of manufacture, and in circumstances of climate with which India could not compete. That had been the result of twelve years of free competition between Lancashire and Bombay in respect to the cotton manufacture. He thought his noble Friend should have borne in mind that obvious circumstance to any one who had paid any attention to the manufactures of the two countries, and that he would see that the contention of the Government of India, as expressed by the Finance Minister, Mr. Westland, was the contention alluded to by the late Viceroy—namely, that although the duty now imposed might to a certain small extent be protective, it would make no serious difference in the amount of the trade of the two countries. The coarser goods would still be made almost entirely in India, and the finer goods would come almost entirely from Lancashire. Mr. Westland said that the finer goods which Manchester mainly sent out to India were beyond the power, at present at least, of the Indian manufacturer.

"India, in fact, cannot produce the cotton requisite for their manufacture. The climate, too, I understand, is in some cases unsuitable to the processes involved. . . . Manchester and Bombay overlap to a certain extent, but the area which Manchester occupies, and must continue to occupy without competition, is very wide and comprehensive."

He knew very well that the very able gentleman, Mr. O'Connor, who made annual Reports upon the Customs trade of India, had shown there was a development of the finer manufactures of yarn especially in the Bombay mills, that cotton from the United States of America and from Egypt, of a long staple had been imported into Bombay to be spun into yarn at the Bombay mills, and it must be admitted, as was admitted by the noble Marquess who opened this discussion, that in respect to a certain amount of the trade there might be a protective effect in imposing duties upon cotton imports into India. That being admitted, let them see, supposing these manufactures came from Germany and not from

England, what the revenue necessities of India were in the matter, because he held that it was the duty of the Secretary of State to be guided in the end by the interests of India, even if he had to do something which was unpopular in this country. But looking at it as a question merely of revenue, he thought it would be disadvantageous to the Indian Revenue, and therefore to the Indian taxpayer and to India generally that by the imposition of a duty upon cotton goods into India, the Bombay mills should be induced to produce goods of the same quality as those which came from abroad into India, because thereby the Indian Revenue would lose the duty upon those goods, and so far there would be a loss of revenue. Moreover, he was not one of those who considered that any artificial stimulus to any industry was ultimately advantageous to that industry. Something might be said in favour of imposing protective duties in countries where a manufacture was just beginning; but in India the Bombay cotton manufacture did not require any artificial stimulus. He said, therefore, that the duty of the Government was to see how far such a duty imposed upon the imports of cotton would really be protective. His impression, which was strengthened by the experience of free competition between the two industries in the last 12 years, was that as respected most of the lower grades of goods there would be no necessity whatever to put on any countervailing duty of any kind, and it would be only necessary in respect of some particular classes of goods in which the two industries might, and probably would overlap. Having said that he would make one further remark rather of a technical nature, in consequence of something which fell from Lord Reay in his answer to the noble Marquess. The noble Lord alluded to the finer class of yarn which was now being spun or likely to be spun in the Bombay cotton mills. For his part, he thought the policy of imposing a duty upon imported yarns was open to very considerable doubt, as yarns represented no more than one-tenth part of the value of the total imports. The yarn imported into India was a semi-manufactured article and would form part of the cotton manufactures there, being worked up either in the mills or by means of hand looms; and he thought it was excessively

doubtful whether, in respect to yarn, it was desirable that any duty should be imposed upon imports. He thought if that view should commend itself to the Government of India it would relieve them of very great difficulty in regard to arranging and finding out what remedy should be applied and to the possible protective effect to a very small extent of the duty upon the imports of cotton into India. He thought, then, that his noble Friend Lord Kimberley need not have attached such importance to the Resolution of the House of Commons of the year 1879 as he had. At any rate, it was in the noble Lord's power previous to the Budget to have brought the matter before either House of Parliament, to have explained his views and have got a decision of either House of Parliament upon it. Surely so important a subject as this, involving the present and future of Indian finance, ought to be postponed to no other question, however important, and even the Budget of this year might have been introduced a day or two later in order to have given an opportunity for the discussion of this question. He did not know whether his noble Friend the late Viceroy claimed to be gifted with prophetic qualities, but in a speech he made just before he left India he made use of quite prophetic language. At a dinner at the Chamber of Commerce in Calcutta his noble Friend made a speech in which he referred to the dangers which there were in India; but he said he was not sure that the greatest of all did not lie in the tendency to transfer power from the Government of India to the British Parliament. Whilst he admitted that the Imperial Parliament must be the ultimate source and depository of power in an extreme case, he said it did not follow that because these powers were inherent in Parliament they should be perpetually exercised by it and

"it is the modern tendency to exercise those powers continually and at the instance of irresponsible persons which, in my belief, constitutes a grave menace to the safety of the empire. The policy of a body, which is admittedly a body of experts (the Indian Government), is liable at any moment to be thwarted and set aside by another body which must, in the nature of things, be deficient in expert knowledge, and which in recent years has shown constantly increasing tendencies to be swayed by emotion and enthusiasm. In the House of Commons an erratic Member, in a thin House, may carry a Resolution vitally affecting the

welfare of this country as summarily and as light-heartedly as if the proceedings were those of the debating club of a college rather than the Senate of a great empire, and so it may come to pass that while we are slowly and laboriously striving to obtain an equilibrium between income and expenditure some haphazard decision of our masters on the other side threatens our finances with bankruptcy. The whole thing is done, and it is done in a manner which cannot fail to impair the authority of the Government which can carry on its work only if its authority is upheld."

Those weighty words appeared to him to be in the nature of a prophecy of what had taken place now when they heard the Secretary of State for India had, in dealing with a question of this magnitude, without attempting to argue the matter out or bring it again before the House of Commons, founded the whole of his policy on the Resolution of the House of Commons of the year 1879. He would not trouble their Lordships any further except to say that in general he agreed entirely with the views taken by his noble Friend the late Viceroy, who had not, in his opinion, exaggerated the great importance of the question in India. Distinguished military officers, travelling about the country and becoming acquainted with all classes of people in India, had perhaps better opportunity than any others to acquire an accurate knowledge on the subject. He was therefore glad to hear his noble and gallant Friend Lord Roberts, with all his military reputation and knowledge, declare, in almost the same words previously employed by Lord Lawrence and Lord Napier of Magdala, that, although the foundation of the British power in India was, in one sense, the strength of her military power, yet, in another and wider and nobler sense, the real power of England in India lay in this, that the natives of that country should feel that she was being governed, not in the interests of England, but of India; and that, in the conduct of the Government in this country towards our great dependency, the Government should be guided only by the interests of India and by sentiments of justice. He hoped that the Government would carefully consider the questions which had been raised and would arrive at a decision upon the lines which had been indicated to them; and he trusted that when next they heard of the subject of this controversy it would be presented to Parliament as a matter which had been finally settled.

The Earl of Northbrook

THE LORD CHANCELLOR (Lord HERSCHELL): There are only two or three points in the speech of the noble Lord who has just sat down to which I think it necessary to allude. I think he scarcely did justice to the statement of my noble Friend the Secretary of State for Foreign Affairs in saying he based his action wholly upon the Resolution of the House of Commons of 1879. My noble Friend stated that that was one of the factors which had to be taken into account, but I think he was far from stating it was upon that alone that he rested the conclusion at which he arrived. My Lords, it appears to me that my noble Friend a little overlooks the difficulty in which the Secretary of State was necessarily placed in arriving at a determination by this time. It is not until near the end of the financial year that the financial position is known to be estimated by the Government of India. There is, therefore, but necessarily a very short interval for any decision to be arrived at. The question is not what might have been done if there had been time for mature deliberation and inquiry, but rather whether the course which my noble Friend pursued was not the right one under the inevitable circumstances which then existed? My noble Friend who has just sat down has himself pointed out that to impose a duty which is, in fact, protective, is in itself necessarily mischievous to the country where that duty is imposed. Of course, one result of it is that part of the increased price which the consumer pays goes not for the good of the country and to increase its Revenue, but into the pocket of the particular manufacturing or trading class. Everybody must admit that that in itself is a disadvantage, and if the effect of imposing the duty be to stimulate a particular trade unnaturally to the extent to which you do that you increase the disadvantage by diminishing the Revenue advantage and increasing the advantage to the individual producer. And unless protection of that sort is to be permanent there is no more cruel kindness you can bestow upon the manufacturers themselves than to give them such protection, because if you have, by means of the protective duty, stimulated trade, and that duty be removed, it is obvious that you have done that which is very far from, on the whole,

being beneficial to the industry. Now, my noble Friend has pointed out that so far as it is a protection, or would be calculated to become protective by leading to the manufacture in India of goods of a fine character not now manufactured, but which might then be manufactured and become competitive, that this apprehended evil might be met by some countervailing duty. No doubt that is a very grave and important question. My noble Friend will see at once that the questions how far it would be practicable, how far it should extend, and how it should be imposed, are questions of very great difficulty. It would be utterly impossible for any such questions to be inquired into. If the duty was to be imposed, it must have been imposed absolutely with all the evils to which my noble Friend alluded, and with the impossibility of removing these evils by any of the expedients he has suggested. My noble Friend suggested that there should be certain exemptions, and he indicated yarn as one of these on account of its being used in India in manufacturing processes. But is he certain that no other cotton goods imported into India are used in manufacturing processes, and, which, for the same reason, ought to be exempted? That, again, would be a matter on which it would be obviously necessary to make inquiry, and the truth is that if I wanted reasons for showing how impossible it was to take any other course than that which my noble Friend took under the same existing circumstances I should have appealed to the speech of my noble Friend who has just sat down, because it shows the difficulty with which the question is surrounded and the number of problems which have to be solved, and the various considerations which have to be discussed and canvassed before you come to any conclusion on the subject. All that is absolutely impossible between the time the proposals are made and the revenue received, and when it becomes necessary to make a decision. That is the explanation of the necessity of arriving, as I say, at a decision such as the Government have arrived at at the time, but not, as then stated, a final decision applicable to all circumstances, and never open to review and reconsideration. The very contrary was stated publicly at the very time the decision was announced. The

noble Earl has said that he regretted that allusion should have been made to the statement by the gentlemen from Lancashire who attended the deputation which waited on my noble Friend, to the effect that they would fight as one man in opposition to the re-imposition of any such duties, and he said he had confidence in the good feeling and good sense of the Lancashire men, that if they saw it was necessary and right in the interest of India they would not let their own interests stand in the way of India's true interest. I entirely agree with my noble Friend in thinking that would be the view of Lancashire, and I would remind him that what my noble Friend alluded to was the statement made with reference to the then expected deficiency or apprehended deficiency, and the hope then expressed that some way or other would be found to meet that deficiency. My Lords, I should be very sorry to believe, with my noble Friend, that if there was an emergency in India which could not well be met in the interest of India in any other way than by dealing in some manner or other with the duties, that Lancashire would put its business inconvenience before the real interests of India and the necessity of meeting any great emergency arising there. When I say that, I lay emphasis upon the interest of India, because that is what has to be regarded, not the interest of any section of India, and not the interest of any manufacturers of India. If Lancashire believed that was what was being considered I think they would most naturally set their faces against the being imposed for the benefit of the manufacturers of India protective duties which would prejudicially affect the manufacturers of Lancashire. But, my Lords, if once they are satisfied that the interests of India at large require some reconsideration and re-arrangement of these duties of a fair and reasonable character, I agree with my noble Friend that Lancashire, no more than any other class of Englishmen, would not set their faces against a change which, though it might chance to be in some respects prejudicial to themselves, would be fair and just to the interests of India, and was demanded by the righteous consideration of their interests. I agree with what has been said, that in circumstances such as those to which I have alluded it would not be right to sacrifice the interests of

India to the interests of any class or section of this community. There is entrusted to us a high mission in our Government of India, and we should, it seems to me, fall short of the demands upon us in respect to that mission if we were to do anything which was against the interest of that country. I trust that in our dealings in India we shall show that this country desires to pursue no selfish policy, to serve no selfish ends, but to govern India in the highest interests of the people of India themselves, particularly, if I may say so, bearing in mind the interests of the great inarticulate masses of India, and to lay before itself the determination that so far as this country can it will fulfil the mission entrusted to it, and seek to make the people of India see that this country is endeavouring to secure their contentment by exhibiting to them its determination to do them justice.

WOMEN'S SUFFRAGE BILL.—(No. 61.)

SECOND READING.

Order of the Day for the Second Reading, read.

LORD DENMAN moved the Second Reading of this Bill. He observed that it seemed almost a formality to make the Motion, but some women had taken the trouble to urge him to proceed with it. He did not see any great advantage in pressing the Bill, but, nevertheless, he pleaded with their Lordships to accord a Second Reading to the Bill, for which many women would be grateful. He did not wish it to be supposed that the House of Lords was against the Second Reading of the Bill. He had been for 10 years trying to obtain that stage, and had had many instances of agreement with him on many points, whilst there were no points of difference which could not be very easily adjusted in Committee. He did not think anyone could say he had been hasty in this matter. He had tried for many Sessions to get this Bill through the Second Reading; he had on many occasions been up till as late as 12 o'clock with a view to secure that object, and he trusted their Lordships would now reward his perseverance by agreeing to his present Motion. He begged to move that the Bill be now read a second time.

Lord Herschell

Moved, "That the Bill be now read 2^a."
—(*The Lord Denman*.)

On Question? resolved in the negative.

VALUATION OF LANDS (SCOTLAND)
ACTS AMENDMENT BILL.—(No. 163.)

SECOND READING.

Order of the Day for the Second Reading, read.

THE LORD PRIVY SEAL (Lord TWEEDMOUTH) moved that the Bill be read a second time. The Bill, he explained, was a very simple one designed to remove an inconvenience felt by the County Councils of Scotland by the late date at which the assessors made up the Roll and the County Valuation Roll. It was proposed by the Bill to make the date the 15th of March instead of the 15th of August, and by the alteration proposed the County Councils would be able to have the Roll before them at a convenient time to settle their assessments for the October meetings.

Moved, "That the Bill be now read 2^a."
—(*The Lord Tweedmouth*.)

Motion agreed to; Bill read 2^a accordingly, and committed to a Committee of the Whole House on Monday next.

LOCAL GOVERNMENT PROVISIONAL
ORDERS (No. 15) BILL.—(No. 126.)

Reported, without Amendment, and committed to a Committee of the Whole House on Tuesday next.

STATUTE LAW REVISION BILLS AND
CONSOLIDATION BILLS.

Leave given to the Joint Committee to report from time to time: First Report made; and to be printed. (No. 170.)

COPYHOLD (CONSOLIDATION) BILL

[H.L.].—(No. 2.)

Reported from the Joint Committee on Statute Law Revision Bills and Consolidation Bills, with Amendments, and committed to a Committee of the Whole House on Thursday next; and to be printed as amended. (No. 171.)

**LOCAL GOVERNMENT PROVISIONAL
ORDERS (No. 17) BILL.—(No. 123.)**

Amendments reported (according to Order); and Bill to be read 3^a on Monday next.

**LOCAL GOVERNMENT PROVISIONAL
ORDERS (No. 14) BILL.—(No. 150.)**

+ Amendment reported (according to Order); and Bill to be read 3^a on Monday next.

**LOCAL GOVERNMENT PROVISIONAL
ORDERS (No. 18) BILL.—(No. 151.)**

Read 3^a (according to Order), and passed.

**PAROCHIAL ELECTORS (REGISTRATION
ACCELERATION) BILL.**

House in Committee (according to Order): Bill reported without Amendment; and re-committed to the Standing Committee.

ZANZIBAR INDEMNITY BILL.—(No. 308.)

House in Committee (according to Order): Bill reported without amendment: Standing Committee negatived; and Bill to be read 3^a on Monday next.

**PEEBLES FOOT PAVEMENTS PRO-
VISIONAL ORDER BILL.**

Read 1^a; to be printed; and referred to the Examiners. (No. 172.)

House adjourned at half-past Seven o'clock,
to Monday next, a quarter
before Eleven o'clock.

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**HOUSE OF COMMONS,**

*Friday, 20th July 1894.*

—  
**PRIVATE BUSINESS.**

—  
**GREAT WESTERN AND MIDLAND  
RAILWAY COMPANIES BILL [Lords]  
(by Order).**

**SECOND READING.**

**Order for Second Reading read.**

Motion made, and Question proposed,  
“That the Bill be now read a second time.”

SIR C. W. DILKE (Gloucester, Forest of Dean) said, in moving the rejection of this Bill, it concerned his constituency almost exclusively, the whole of the Severn and Wye line (which the great companies were purchasing) being within the borders of that constituency, except part of the Severn Bridge and a little bit of junction with the Midland near Berkeley Castle. It was rumoured that the traders of the district had come to terms with the companies, but, although a majority of a so-called committee of traders had proposed to do so, those gentlemen were the proprietors of the larger collieries, who had arranged clauses through Mr. Cripps which met their views, but did not meet the grievance of the traders generally. He had no doubt that the interest of his constituents was opposed to the Bill in its present form, and that they had far better reject it than run the smallest risk of its passing without the provisions for the protection of the district which the Board of Trade favoured, and which the House of Lords had not inserted.

**ROYAL ASSENT.**

Message to attend the Lords Commissioners;—

The House went;—and being returned;—

Mr. SPEAKER reported the Royal Assent to,—

Public Libraries (Scotland) Act, 1894.

Burgh Police (Scotland) Act, 1892, Amendment Act, 1894.

Merchandise Marks (Prosecutions) Act, 1894.

Bishopric of Bristol Amendment Act, 1894.

Injured Animals Act, 1894.

Commissioners of Works Act, 1894.

Outdoor Relief (Friendly Societies) Act, 1894.

Wild Birds' Protection Act, 1894.

Sea Fisheries (Shell Fish) Regulation Act, 1894.

Prevention of Cruelty to Children (Amendment) Act, 1894.



Notice of Accidents Act, 1894.

Local Government Board (Ireland)  
Provisional Order Confirmation (No. 1)  
Act, 1894.

<sup>1</sup> Local Government Board (Ireland)  
Provisional Order Confirmation (No. 5)  
Act, 1894.

Local Government Board (Ireland)  
Provisional Order Confirmation (No. 13)  
Act, 1894.

Local Government Board (Ireland)  
Provisional Order Confirmation (No. 14)  
Act, 1894.

Pier and Harbour Orders Confirmation  
(No. 2) Act, 1894.

Pier and Harbour Orders Confirmation  
(No. 3) Act, 1894.

Pier and Harbour Order Confirmation  
(No. 4) Act, 1894.

Electric Lighting Orders Confirmation  
(No. 3) Act, 1894.

Electric Lighting Orders Confirmation  
(No. 4) Act, 1894.

Electric Lighting Orders Confirmation  
(No. 5) Act, 1894.

Gas Orders Confirmation Act, 1894.

Gas Orders Confirmation (No. 2) Act,  
1894.

Water Orders Confirmation Act, 1894.

Local Government Board's Provisional  
Orders Confirmation (No. 7) Act, 1894.

Local Government Board's Provisional  
Orders Confirmation (No. 9) Act, 1894.

Local Government Board's Provisional  
Orders Confirmation (No. 10) Act, 1894.

Local Government Board's Provisional  
Orders Confirmation (No. 11) Act, 1894.

Local Government Board's Provisional  
Orders Confirmation (No. 12) Act, 1894.

Local Government Board's Provisional  
Orders Confirmation (No. 13) Act, 1894.

Local Government Board's Provisional  
Orders Confirmation (No. 16) Act, 1894.

Local Government Board's Provisional  
Orders Confirmation (No. 19) Act, 1894.

Local Government Board's Provisional  
Order Confirmation (Poor Law) Act,  
1894.

GREAT WESTERN AND MIDLAND  
RAILWAY COMPANIES BILL [*Lords*]  
(*by Order*).

Question again proposed, "That the  
Bill be now read a second time."

SIR C. W. DILKE resuming,  
said : The traders had spent a  
great deal of money in the Lords with-  
out tangible improvement, and without  
obtaining those terms which the Board  
of Trade had thought they should obtain.  
He feared that, the great collieries having  
made their own terms, there would now  
be much risk in going to a Committee,  
in which the interests of the smaller  
men and of the inhabitants generally  
would probably be sacrificed. The Board  
of Trade reported in favour of the adop-  
tion for the local traffic of the Midland  
maximum scale. The Lords inserted only  
the actual rates in operation at the date  
of the passing of the Act. But those rates  
were, as the Board of Trade had shown,  
extraordinarily high rates, which were  
specially granted to this little local com-  
pany on account of the curious shortness  
of its "lead." The whole line was on  
so microscopic a scale that special rates  
were conceded to it, by consent of the  
Board of Trade, originally, which would  
never have been granted to a greater  
line. Now that that line was passing to  
two great companies, they had to con-  
sider what was their character for libe-  
rality ; and he had to say that if the  
purchase were by the Midland he should  
be content to trust that company, but the  
Great Western had not met the traders  
in such a manner as to make him inclined  
to trust himself to their mercy. The  
companies said that they had bought the  
line on the understanding that they  
should have the present rates, and they  
had offered to improve those rates in the  
course of time if the traffic increased,  
and they said that if this offer were not  
adopted they should drop the Bill. He  
was quite prepared to run the risk of the  
dropping of the Bill, in which, however,  
he did not believe, as the companies had  
strong reasons for desiring to keep com-  
petitors out of this district ; and he felt  
certain that (while the local line, so far  
as it lived, must live on the district  
itself) the great companies, which were  
wholly independent of that district, and  
to which it would be but a small item,  
could not be trusted without Parlia-

mentary control to thoroughly meet its needs. A great deal of favour to the Bill came from those who were shareholders in the present line, as the companies had made a purchase which had conferred a value upon the ordinary shares, which previously had none, and had raised the value of the Preference Shares. But this was no reason why the district should continue to be handicapped by rates which would not be tolerated in the event of a new line being applied for by the larger companies, and he must press, as his minimum, for the principle of the Board of Trade Report—namely, the Midland maximum scale.

\*SIR A. ROLLIT (Islington, S.) seconded the Motion. One strong objection to this Bill was, he said, its tendency to put the Forest of Dean in what he might call a railway ring fence. He was not fully acquainted with all the local circumstances, but he did not think that such a proceeding ought to be tolerated for one moment except for the gravest reasons and under the most adequate safeguards. This was especially so in the present absence of a general law to prevent undue preference being given to one district over another. A company ought not to be permitted to abstract trade for its own benefit from a district to which it properly belonged. The only practical check against action of that sort on the part of a railway company had been found to be in competition. Yet the effect of this Bill would be to prevent competition, and to place the district in the hands of at least one railway company which had interests conflicting with those of the district. In the absence of a general law, there was only this course open to them in order to resist the Great Western Company, which had sinned against the interests of all concerned. The tendency in most companies was to reduce rates in order to attract traffic, but here powers were sought under an antiquated Act to impose heavy rates on the local traffic. This Bill would, if it passed, put the small traders in the district into the power of the combination, and under the circumstances he objected to the Bill going further. Not only were the powers he had alluded to objectionable, but other parts of the Bill seemed to him to be quite at variance with modern railway legislation. For instance, no power was given to compel the company

to grant through rates from their own systems to stations on the combined line. Surely in these days of business organisation, when through rates were so necessary to the success of a trader, some provision of this character ought to be inserted in the Bill. He understood that negotiations had taken place on the subject, and he thought this was a matter on which they were entitled to have further information. No doubt he would be told that matters such as these could best be dealt with in Committee, and he admitted that under general circumstances such would be the case; but in this case the very basis of the Bill was an attempt to legitimise combination, and to place in the hands of that combination a large district inhabited by small traders, while no power was taken to impose on the company the ordinary requirements necessary for the protection of the trader. In the absence of such provisions he could not assent to a Bill so utterly at variance with modern railway policy.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(Sir C. W. Dilke.)

Question proposed, "That the word 'now' stand part of the Question."

SIR J. DORINGTON (Gloucester, Tewkesbury) said, he ventured to intervene in the Debate, not on behalf of the Great Western, or Midland, or Severn Railway Company, but as representing the County Council of Gloucestershire, and in that capacity he did express a sincere hope that the Bill might be allowed to go before the Committee. The question from a railway point of view had been very fully dealt with by the right hon. Baronet the Member for the Forest of Dean, and he would only add that the body which was bound to take action in the interests of the district most concerned—i.e., the County Council of Gloucestershire—had petitioned when the Bill was before the Lords, and as they had not got all they desired, they had again petitioned in this House. They would do all they could to get Midland rates for local traffic, but he must remind his right hon. Friend opposite that the line was a very poor one, and not likely

to be a competing one. On those grounds he thought that they ought to send the Bill to a Committee, in order that the matter might be fully considered. On the general question, he considered that the House of Commons would be usurping the functions of a Committee were they to settle so complicated a matter off-hand, and he ventured, therefore, to ask the House to agree to his proposal.

\*SIR M. HICKS-BEACH (Bristol, W.) said, he thought he might claim to be taking an impartial view of the question, for he had no interest whatever in either of the companies affected by the Bill. He did not understand that the right hon. Baronet desired that the Second Reading of the Bill should be negative, provided that he saw a reasonable prospect of the question of rates being carefully considered in Committee at a later stage, and he hoped, therefore, that the House would allow the Bill to be read a second time. He believed that the district would be better served by the joint railways than it had been by the small company, which, as had been pointed out, had not sufficient capital to make necessary improvements. He thought Parliament in past years had been far too neglectful as to the rates it allowed to be charged when it sanctioned amalgamations of this kind, and he had always thought that there should be some department or official specially charged to watch these amalgamation Bills. He saw no reason why the company should not be allowed to charge a somewhat higher rate over that portion of the line joining the Severn Bridge. If the matter was considered in Committee, he trusted that the Board of Trade would see that the interests of the public were represented, by the recommendations to rates which were made in the Board of Trade before the Bill being properly brought before the Committee, either by an official of the Board, or, if necessary, by a Parliamentary agent or by counsel, as the trustees of the district were very likely not in a position for want of funds to state their own case. He trusted, therefore, that if the right hon. Gentleman saw his way to allow this that the right hon. Baronet would be willing to withdraw his opposition to the Second Reading of the Bill.

SIR T. ROBINSON (Gloucester) said, he, too, hoped that the Bill would be

allowed to go to a Second Reading, so that the details might be thoroughly gone into before a Committee. When it was first introduced certain members of his constituency were opposed to it. Since then, however, several concessions had been made by the promoters, and he therefore felt fully justified in supporting the Second Reading of the Bill.

THE PRESIDENT OF THE BOARD OF TRADE (Mr. BRYCE, Aberdeen, S.) said, that while there was a great deal of force in the arguments that had been raised against the Second Reading of the Bill, he considered that it was in many respects a very useful measure, and one likely to be of benefit to the districts, especially as the company that now owned the line was admittedly not in a financial position to work it with advantage. It was unnecessary for him to do more than refer to the docks, as the proposal was merely to transfer them from one company to another. On the question of rates he considered that the Committee had taken a rather singular course. The company was allowed to charge higher rates owing to the great expenses incurred in making certain portions of the line in connection with the Severn Bridge. He thought, however, that the opinion expressed in the Report of the Board of Trade was correct, and that the consideration that induced Parliament to allow the company those higher rates should cease to carry the same weight under the altered condition of things. Why the Committee had not thought fit to act upon the advice of the Board of Trade he could not, of course, say. He agreed with the remarks that had been made by the hon. Member for Bristol, that it would be advantageous if an official were sent down to investigate matters in order that he should be in a position to give evidence before the Board. The suggestion of the right hon. Baronet the Member for Bristol was one which should undoubtedly have consideration, with a view to seeing how far it might be properly adopted. As he had said already, he did not think they ought to reject the Bill on the Second Reading, and he hoped the right hon. Gentleman would be satisfied with the discussion that had taken place and would withdraw his Motion. For himself, he was not bound by anything that had been said now, and any further action on the part

*Sir J. Dorington*

of the Board of Trade might depend upon the form the Bill took when it left the Committee.

\*SIR M. HICKS-BEACH expressed the hope that the Board of Trade would give evidence in support of their own Report. That suggestion became really more necessary in view of the observations of the right hon. Gentleman, which pointed to the possibility of the Board of Trade objecting to the decision of the Committee.

MR. BRYCE said, he would see how far it was proper to go into the matter.

SIR C. W. DILKE would not put the House to the trouble of a Division, and he thought after what had fallen from the two right hon. Gentlemen, the present President of the Board of Trade and a former occupant of that position, that he and those who agreed with him on this matter had gained something. He also understood the President of the Board of Trade to say that he reserved complete freedom of action as to the course he would take on the Report. On that understanding he asked leave to withdraw his Motion.

Amendment, by leave, withdrawn.

Main Question put, and agreed to.

Bill read a second time, and committed.

## QUESTIONS.

### GERMAN PRISON-MANUFACTURED GOODS.

COLONEL HOWARD VINCENT (Sheffield, Central): I beg to ask the Under Secretary of State for Foreign Affairs when the Report from Her Majesty's Embassy in Berlin, called for three months ago, on the question of goods manufactured in German prisons by prison labour at nominal wages and exported to England and sold in competition with English manufacturers, will be presented to Parliament?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir E. GREY, Northumberland, Berwick): The Report from Her Majesty's Embassy at Berlin has been received. It will be laid before Parliament, together with other Reports upon the same subject, as soon as they have all been received.

COLONEL HOWARD VINCENT: When are they likely to be laid before Parliament?

SIR E. GREY: I cannot tell; there will be no unjustifiable delay.

### THE INCREASE IN HOME PENSIONS.

SIR D. MACFARLANE (Argyll): I beg to ask the Secretary of State for India, if he can explain the meaning of the explanation given on Page 3 of the Return of the Military Expenditure of the Government of India in India and England from 1875 to 1892-3; the item referred to is the increase of £929,822 in Home pensions, which is stated to be mainly due to the growth of the Colonels' allowances, derived from a much larger number of officers than that now existing; and, if the number of officers was at one time larger than that now existing, how the amount has been increased instead of diminished?

THE SECRETARY OF STATE FOR INDIA (Mr. H. H. FOWLER, Wolverhampton, E.): As each officer successively becomes entitled by length of service to Colonel's allowances the Home pensions are to that extent increased; and the number of those who are now becoming entitled to such allowances depends upon the number of officers who were upon the establishment many years ago. The number of officers now upon the Effective List is less than half that of officers in the Indian Army in 1857.

### EVICCTIONS IN COUNTY WESTMEATH.

MR. D. SULLIVAN (Westmeath, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he is aware that Mrs. Rochford-Boyd, of Middleton Park, County Westmeath, has evicted a number of tenants from her estates in that county during the past seven years, and that she has lately put in possession of the evicted farms as *bonâ fide* tenants her game-keeper, her butcher, her coachman, and other retainers of her household; and whether, under the provisions of the Evicted Tenants Bill, those tenants will be entitled to compensation?

THE CHIEF SECRETARY FOR IRELAND (Mr. J. MORLEY, Newcastle-upon-Tyne): I am informed by the constabulary that there is no foundation

for the allegations in the first paragraph of this question.

#### THE SHIPMENT OF DYNAMITE.

**MR. BARTLEY** (Islington, N.): I beg to ask the Secretary to the Admiralty whether the Admiralty as the Harbour Authority for Plymouth is aware that German steamers calling at Plymouth are allowed to ship dynamite in the harbour; and, if so, whether the Admiralty will consider the expediency for the safety of the port and shipping in the harbour of having all shipments of dynamite or other explosives made outside the breakwater or other suitable place, subject to the like conditions as are imposed in the Thames and other ports in United Kingdom?

**THE SECRETARY TO THE ADMIRALTY** (Sir U. KAY-SHUTTLEWORTH, Lancashire, Clitheroe): German ships do not ship dynamite in Plymouth Harbour. A place is assigned in the Sound for that purpose, and the Queen's Harbourmaster sees that the bye-laws made under the Explosive Act are carried out. There is no reason, in the opinion of the Commander-in-Chief, for altering the present arrangements.

**MR. BARTLEY**: I will ask is it not the fact that a German steamer shipped dynamite at Plymouth for Calcutta on the 18th June, and whether a second German steamer did not ship dynamite at Plymouth for Algoa Bay on the 29th June, the consignment consisting of 2,780 cases of dynamite, equivalent to about 70 tons weight? I would ask the right hon. Gentleman whether that did not take place in Plymouth Harbour?

**SIR U. KAY-SHUTTLEWORTH**: No, Sir; not in the harbour. I have got no information about the two ships, but any consignment of dynamite is conducted in a part of the Sound specially set apart for that purpose.

#### THE "COSTA RICA PACKET."

**MR. HOGAN** (Tipperary, Mid): I beg to ask the Under Secretary of State for Foreign Affairs whether he is now in a position to state the intentions of Her Majesty's Government with respect to the suggestion of arbitration in the case of the *Costa Rica Packet* that has been submitted by the Netherlands Government?

*Mr. J. Morley*

**SIR E. GREY**: The matter will have to be considered in consultation with the Law Officers of the Crown. I cannot make any further statement.

#### PICTORIAL ADVERTISEMENTS.

**MR. FARQUHARSON** (Dorset, W.): I beg to ask the President of the Board of Trade whether imported pictorial advertisements are subject to the Merchandise Marks Act; whether he is aware that, at a cost of £7,000, the posters advertising Constantinople at Olympia were brought from the United States, and each bear in large letters their marks of origin as having been lithographed at Cleveland, U.S.A.; and whether, for the information of printers and lithographers in this country, he will cause a separate record to be kept of such imports in future?

**MR. BRYCE**: All goods are subject to the Merchandise Marks Act, which, however, applies only where misleading marks are in question. I am not aware of the circumstances under which placards and advertisements relating to the exhibition at Olympia are imported; but if the facts be as stated in the question they go to show that there has been in the present case no infringement of that Act. The article referred to does not seem, at present, to be of sufficient importance to require a separate record; but if the hon. Member can supply me with any information tending to show that it is of such importance, the matter will be considered in the autumn by the Committee which annually revises the list of articles so recorded.

#### BOVINE TUBERCULOSIS.

**MR. HUNTER** (Aberdeen) (for Mr. FIELD): I beg to ask the President of the Local Government Board whether he is aware that considerable and widespread dissatisfaction exists on account of the delay experienced in receiving the Report of the Bovine Tuberculosis Commission; and whether he has obtained any further information as to the probable date of its publication after so many inquiries?

**THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD** (Mr. SHAW-LEFEVRE, Bradford, Central): I have communicated with the Commissioners, and am informed that they are fully



aware of the desirability of reporting as early as possible that no pains are being spared to complete the work, and that the Report will shortly be issued.

**SIR M. STEWART** (Kirkcudbright): Is there any hope of the Report being given to the House before the close of the Session?

**MR. SHAW-LEFEVRE**: I can only answer from the replies the Commissioners supply to me. I have made many communications to them with the same result.

**MR. CHAPLIN** (Lincolnshire, Sleaford): Will he repeat those communications and put pressure on the Commissioners to let us have this Report? At the commencement of the Session he told us he hoped to be able to lay it upon the Table very shortly. It is now nearly the end of the Session, and we are precisely in the same position. This has been going on for three years.

**MR. SHAW-LEFEVRE**: I quite agree with the right hon. Gentleman. I have already put whatever pressure I could upon the Commissioners.

#### AN INDIAN JUDICIAL APPOINTMENT.

**SIR W. WEDDERBURN** (Banffshire): I beg to ask the Secretary of State for India will he explain why, although Mr. N. Subramaniam, Barrister-at-Law and Judge of the Small Cause Court at Madras, has acted as Chief Judge of that Court for the last 13 months, and during that period has given complete satisfaction to the Government and to the public, on the permanent appointment becoming vacant, he has now been superseded by the nomination of Mr. R. B. Michell, from outside the Court, to be the Chief Judge; whether the Law requires that the Chief Judge should be a European; and, if not, whether the Secretary of State will state the grounds on which Mr. Subramaniam has been superseded; and whether the Secretary of State will lay upon the Table of the House the opinions of the Judges of the Madras High Court and the Correspondence between the Madras Government and the Government of India regarding this appointment?

**MR. H. H. FOWLER**: The temporary discharge of the duties of a judicial post, even though they may be performed in a perfectly satisfactory manner, does not either in Great Britain

or India give any claim to succeed to the post on the occurrence of a vacancy. The appointment to which my hon. Friend refers rests exclusively with the Government of Madras, and I am informed that after the most careful inquiry they were of opinion that Mr. Michell was the fittest person available for the post. I do not propose to lay on the Table any Papers on the subject.

**SIR W. WEDDERBURN**: I should like to ask the right hon. Gentleman whether it is the case that the only objection to Mr. Subramaniam was that he was not a European?

**MR. H. H. FOWLER**: That is not so. It was not a question of objection but of selection. I have seen sufficient of the correspondence to show me that the Madras Government took great pains in the matter, and the decision they arrived at is a decision which entirely meets the justice of the case.

#### KENSINGTON LOCAL EXAMINATIONS.

**MR. DIAMOND** (Monaghan, N.): I beg to ask the Vice President of the Committee of Council on Education whether he has any official knowledge of Kensington local examinations held under the auspices of a body styling itself the Society of Science, Letters, and Art of London, with an address in Holland Road, Kensington, and which awards certificates, medals, honours, &c.; whether these examinations have any connection with any Government department, and whether the certificates are of any value in any Government examination; and whether he can take steps to put a stop to proceedings which appear to be a colourable and misleading imitation of certain examinations conducted by authority?

**THE VICE PRESIDENT OF THE COUNCIL** (Mr. AGLAND, York, W.R., Rotherham): I am informed that there is a body calling itself the Society of Science, Letters, and Art of London, which, in its prospectus, states that it holds what are called the Kensington local examinations, and also awards medals, &c. The society has no connection with the Science and Art Department, South Kensington, and none of its certificates are recognised by the Government. I will further look into this matter, but in any case it is very desirable that the difference between the

work of the Science and Art Department and that of this society should be known by the public.

#### FLOATING DERELICTS.

MR. MACDONA (Southwark, Rotherhithe) : I beg to ask the President of the Board of Trade whether he is aware that on the 17th instant the steamship *La Plata* reported upon her arrival at Liverpool that on the 12th instant, 41°35 N.—10°20 W., she passed a partially-submerged vessel about 100 feet long, with heavy bilge frames, about eight feet out of water, evidently a long time in the water, and most dangerous to navigation ; and will he notify the existence of this dangerous floating derelict to the masters of our marine about to leave our ports ?

MR. BRYCE : I am aware that the *La Plata* reported on her arrival at Liverpool on the 17th instant that she had passed a partially-submerged derelict. The report was published by Lloyd's in *The Shipping and Mercantile Gazette* and *Lloyd's List* of the following day, the 18th instant, for the general information of mariners. The position of the derelict on the 12th instant was reported to be about 20 miles off the coast of Portugal, and I am advised that, in the absence of further information, it would be useless and even misleading to follow the practice adopted in all suitable cases, and to publish its position on that day in the monthly summary of notices to mariners issued by the Board of Trade early in August, as this derelict will probably, in the three weeks which will then have intervened, either have drifted on shore or be well out of the stream of traffic.

MR. MACDONA : I would ask the right hon. Gentleman if it would not be of the greatest importance that information should be conveyed direct from the Board of Trade to the shipmasters ?

MR. BRYCE : In this particular case it would appear that everything possible to be done was done, because the *La Plata* made a report at Liverpool on the 17th, and on the 18th the report appeared in *The Shipping and Mercantile Gazette*. As far as this instance goes, the report could not have been published more expeditiously than it was.

*Mr. Acland*

#### AFFAIRS IN SIAM.

SIR A. ROLLIT (Kensington, S.) : I beg to ask the Under Secretary of State for Foreign Affairs what is the present condition of affairs in Siam ; and is it consistent with present and prospective British commercial and other interests ?

SIR E. GREY : It is not possible to give even a bird's-eye view of the general condition of a country within the limits of an answer to a question. The history of what occurred in Siam last year is well known, and there has been no material change since then. It is, of course, the intention of Her Majesty's Government to guard against any proceedings which would be inconsistent with the British interests described.

SIR E. ASHMEAD-BARTLETT (Sheffield, Ecclesall) : I would ask the hon. Baronet whether an opportunity will be given to the House to discuss the affairs in Siam after the Papers which have been promised on the subject have been presented to Parliament ?

SIR E. GREY : I hope they will be presented before the Estimates are reached.

#### COMMERCIAL TREATIES.

SIR A. ROLLIT : I beg to ask the Under Secretary of State for Foreign Affairs by what means, if any, and under what conditions, as to notice and otherwise, can the Commercial Treaties with Belgium and the German Empire, which are said to prevent differential fiscal treatment of the Colonies, be denounced ; and is such the effect of the Treaties ?

SIR E. GREY : Both those Treaties can be terminated by either party on giving 12 months' notice. It is not possible to give a general answer to the question how far they prevent differential fiscal treatment of the Colonies ; but the actual terms of the articles in those treaties referred to—namely, Article 15 of the Treaty with Belgium of July 23, 1862, and Article 7 of the Treaty with the Zollverein of May 30, 1865—will be found in a Paper recently laid before Parliament, Commercial No. 17, 1893 (C. 7229), pages 3 and 20.

SIR M. HICKS-BEACH : May I ask the hon. Baronet whether these Treaties do prevent a re-arrangement of Commercial Treaties with the Colonies ?

**SIR E. GREY :** I would rather, in the first instance, that the terms of the Treaties should speak for themselves. If it is desired that an interpretation should be given of what may be considered as obscure in the terms of the Treaties I must have notice.

**SIR A. ROLLIT :** I should like to ask whether the Treaties are consistent with inter-colonial differential duties ?

**SIR E. GREY :** I must repeat that I must have proper notice before I can pretend to give an interpretation of the Treaties. I am not at present aware that the terms are obscure.

**JABEZ BALFOUR.**

**SIR A. ROLLIT :** I beg to ask the Under Secretary of State for Foreign Affairs has the extradition of Mr. Jabez Balfour from Argentine been finally refused or otherwise ; and, if so, is it intended that proceedings against his colleagues in this country shall be further delayed ?

**SIR E. GREY :** The last telegram received at the Foreign Office was dated the 15th. It stated that the decision of the Federal Judge at Salta had not been given. It may be announced at any time, and we shall, of course, be informed at once when it is known. Everything in our power has been done to expedite the legal proceedings in the Argentine Republic. The last part of the question cannot be answered by the Foreign Office.

**COLONEL EDWARD MITCHELL, R.E.**

**MR. NAOROJI (Finsbury, Central) :** I beg to ask the Attorney General if he has recently received any communication or affidavit from Colonel Edward Mitchell, R.E., retired, denying the accuracy of the statement made in the House of Commons on the 9th December, 1890, by the then Attorney General, in reply to Mr. Cunningham Graham, that the Crown did not press for the costs of the proceedings out of consideration of Colonel Mitchell, and at his request, on the distinct arrangement in writing that Colonel Mitchell's supposed claim should not again be raised in any shape ; whether the gallant officer has appealed to him to cause justice to be done ; whether he has forwarded to him a certificate of a learned Queen's Counsel on the subject ; and

whether he will lay the Papers upon the Table of the House ?

**THE ATTORNEY GENERAL (Sir J. RIGBY, Forfar) :** I have received communications from Colonel Mitchell, including an affidavit, on the subject mentioned in the question. Whether such an arrangement as is mentioned was actually entered into depends entirely upon the correspondence which my right hon. Friend the Secretary for War has already promised to lay upon the Table, together with a relevant portion of the affidavit. I think that these Papers include everything material. The certificate of counsel referred to has nothing to do with this arrangement. I have already stated to Colonel Mitchell, and to the hon. Gentleman who puts the question, and it is the fact, that I have no power to reopen the claim of Colonel Mitchell.

**BRAKES IN RICHMOND PARK.**

**MR. F. FRYE (Kensington, N.) :** I beg to ask the First Commissioner of Works by whose authority the keepers of the gates at Richmond Park are forbidden to allow brakes to drive through the park ; whether it has been the custom in former years to allow brakes equally with other hired vehicles to do so ; if there is any reason for the present prohibition ; and whether he will give orders that it be removed ?

**THE FIRST COMMISSIONER OF WORKS (Mr. H. GLADSTONE, Leeds, W.) :** There has been some doubt as to the exact interpretation of the rule of Richmond Park as to the admission of brakes, and the practice has accordingly not been at all times uniform. A legal opinion having now been obtained, brakes hired by an individual or a party, and not plying for hire, will in future be admitted.

**THE DUBLIN AND CORK TRAVELLING POST OFFICE.**

**MR. T. M. HEALY (Louth, N.) :** I beg to ask the Postmaster General whether the staff attached to the Dublin and Cork Travelling Post Office (American Mail) are the only sorting clerks in the United Kingdom who are not in receipt of payment for Sunday work ; whether previous to payment for Sunday duty being granted, a 21st part of those officers' weekly pay was deducted per diem when absent on sick leave, and



since payment was granted 1-18th has been deducted when absent on sick leave for any period less than a week in common with all other officers who receive Sunday pay; whether, in accordance with the latter portion of the foregoing paragraph, the working week consists of six working days; and, if so, why payment for Sunday work is withheld from those officers; whether he recently refused payment for Sunday duty to the staff on the representation of the Dublin authorities that, including the time of working at Queenstown for homeward American mails, their average weekly duty does not amount to 48 hours; and has he received a Memorial addressed to him on the 26th June by the Dublin and Cork Travelling Post Office staff, showing their weekly duty (exclusive of Sunday) to average above 60 hours?

**THE POSTMASTER GENERAL** (Mr. A. MORLEY, Nottingham, E.): I am not aware whether the staff referred to by the hon. Member are the only sorting clerks who are not in receipt of payment for Sunday work; but if there are any others who do not receive such payment, it would be for the same reason, as I explained in my answer to the hon. Member of the 18th December last—namely, that their Sunday duties added to their week-day duties does not increase their attendance to more than the regular number of hours required of them in each week. Since the introduction of payment for Sunday duty, the officers in question have, in regard to deductions for sick absence, been treated in the same way as other members of the Dublin Sorting Force, of which they form part, and the deduction has been 1-18th instead of 1-21st part of their ordinary weekly pay. This part of the hon. Member's question has, however, no longer any practical importance, as under the new Regulation no deduction is made on account of sick absence, unless the sickness is due to causes within the officer's own control. I find that a Memorial was received from the sorting clerks employed in the Travelling Post Office at the end of last month, containing further representations respecting their weekly attendance, and these are now under investigation. I may add that the duty in the Dublin and Cork (American Mail) Travelling Post Office is a much-coveted one; and if those who are now engaged in it are not contented

with the conditions of their employment, they are at perfect liberty to give it up and resume their ordinary duties in the Dublin Sorting Office. Many others will be only too glad to take their places.

#### CONTRACTS FOR NAVAL VESSELS.

**MR. MACDONALD** (Tower Hamlets, Bow): I beg to ask the Secretary to the Admiralty when the particulars with regard to the contracts entered into by the Government with private firms for the building of new ships will be given to the House; and whether he will include in those particulars the prices quoted in the accepted tenders for the hull, the engines, the auxiliary machinery, and the masts and rigging?

**SIR U. KAY-SHUTTLEWORTH:** I have before explained that it would be contrary to public interests to publish the prices for which certain contracts for ships have been made, before all the contracts are complete. This condition is not yet fulfilled, and I cannot, therefore, say how soon the promised Return can be granted. My hon. Friend's suggestion as to publishing details of prices shall be considered in preparing the Return.

**CAPTAIN DONELAN** (Cork, E.): Can the right hon. Gentleman say whether it is the intention of the Admiralty to give any contract to the Passage Docks Company?

**\*SIR U. KAY-SHUTTLEWORTH:** This is not a question of future contracts, but relates to certain contracts which have already been made. The Passage Docks Company have recently been asked to tender for certain articles.

#### LICENCE TO CARRY ARMS.

**MR. J. REDMOND** (Waterford): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that Mr. J. K. Bracken, of Templemore, County Tipperary, has been refused a licence to carry arms by the local Resident Magistrate; and whether he can state the reasons upon which this refusal was based?

**MR. J. MORLEY:** I am aware that the Resident Magistrate, in the exercise of the discretion vested in him by law, has declined to issue an arms licence to Mr. Bracken. It would be contrary to practice to state the reasons which influenced the Resident Magistrate in so



deciding, but I may state that I am making further inquiry into the matter.

**MR. J. REDMOND:** I will repeat this question.

#### THE ROYAL IRISH CONSTABULARY.

**MR. T. M. HEALY:** I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland is it consistent with the Royal Irish Constabulary rules that men who have suffered from lunacy should be in charge of stations; and are any persons above the rank of sergeant who have suffered from lunacy in the Cavan force?

**MR. J. MORLEY:** Men who have shown symptoms of mental depression are not placed upon duty or in any responsible positions in the Constabulary unless the attack was of a temporary character, and no disposition to a recurrence of the depression appeared. The second paragraph apparently refers to the case of a member of the force who suffered from mental depression some years ago, but only for a very brief period. He is reported to have been an excellent officer since his recovery.

#### SCHOOL ACCOMMODATION IN COUNTY ROSCOMMON.

**MR. COMBE (Surrey, Chertsey):** I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the head Inspector of the Board of Education in Ireland visited the proposed site of a school house at Clooncan (Union of Castlereagh, County Roscommon), on 11th May last; and, if so, what report he had sent as to the desirability of building a school on that townland?

**MR. J. MORLEY:** The Commissioners of National Education inform me that there was a difficulty in dealing with this case owing to the proximity of the proposed site to an existing vested school, but that under the special circumstances they have now made the required grant for the erection of the school.

**MR. SEXTON (Kerry, N.):** I would ask the right hon. Gentleman whether the reports made by Inspectors under such circumstances as are indicated in the question are open to the inspection of Members of this House?

**MR. J. MORLEY:** I am not quite sure; I will inquire.

#### THE DOWNPATRICK WATER SUPPLY.

**MR. T. M. HEALY:** I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland is he aware that the new water for the supply of Downpatrick has been analysed by Sir Charles Cameron, and reported as full of micro-organisms, and in a further report as unsuitable for a town supply; and that Dr. Olphert, the Medical Officer of Health for the town, has reported to the Sanitary Authority that he attributes several cases of illness to the drinking of the water, and has recommended the people to discontinue using it; will he explain why the Sanitary Authority have taken no notice of these reports; has his attention been called to the discussion at the last meeting of the Sanitary Authority, in which it was stated that the water was not being used for domestic purposes; and do the Local Government Board intend to take any notice of the matter?

**MR. M'CARTAN (Down, S.):** I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the report of the proceedings at the last meeting of the Downpatrick Board of Guardians; whether he is aware that the reply sent him to a recent question on the Downpatrick watersupply was stated to be incorrect, and that instead of the water being generally used by the inhabitants, there is not one family in Downpatrick using it for drinking purposes; whether, notwithstanding that at a previous meeting a resolution was passed to put up notices that the water was not fit for use, no such notices were posted; whether the water was condemned some time ago by the Medical Officer of the Board of Guardians; and if he will state what action the Local Government are prepared to take in the interests of the health of the town?

**MR. J. MORLEY:** In reply to these questions, I am informed by the Local Government Board that Sir Charles Cameron reported that the water, though second-rate, is not dangerous to health. On the other hand, Dr. Olphert attributed cases of illness to the use of the water and recommended the people not to use it. The Guardians' consulting sanitary officer states that the water is safe and harmless, and their engineer is of opinion that it can be improved by filtration. The

Guardians have considered these reports, and propose to adopt measures to improve the quality of the water. The matter, I understand, is receiving the careful attention of the Guardians and the Local Government Board will be prepared, if called upon, to afford them every possible assistance and advice.

MR. MC CARTAN: I would ask the right hon. Gentleman whether he is aware that Sir Charles Cameron has described the water as very second-rate?

MR. T. M. HEALY: I would also ask the right hon. Gentleman whether he has seen the report of the last meeting of the Guardians, when the Clerk to the Guardians had practically to admit that he had deceived the Government in the reply read by the right hon. Gentleman. Of course, that being the vital portion of my question, it was struck out at the Table.

MR. J. MORLEY: I have not had time to read that report.

MR. W. JOHNSTON (Belfast, S.): I would ask if it is fair to make these insinuations against people who cannot defend themselves? I know this clerk very well.

#### THE DE FREYNE ESTATE.

MR. DILLON (Mayo, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland is he aware that last week, on a farm on the De Freyne Estate, from which a tenant had been recently evicted, at Sheepwalk, in the County of Roscommon, a number of cattle belonging to the landlord were driven by his bailiffs into a crop of oats and potatoes; and that during three days whilst they were engaged in eating and trampling the crop they were protected by five policemen and six of the landlord's bailiffs; and whether, if this be so, the police were justified in assisting at such proceedings?

MR. J. MORLEY: It is a fact that on the 10th instant a number of cattle belonging to Lord de Freyne were driven by his steward and five assistants on the evicted farm referred to, and that since the date mentioned the cattle have been cared for by one of the landlord's herds, who drives them to the farm each morning and back again to the demesne at night. These cattle ate down the crops of oats and potatoes on the farm—unlawfully sown by the tenant—as well

as the grazing of it. It is not the case, however, that the landlord's *employés*, while engaged on this work, were assisted by the police. Three constables attended on the morning of the 10th instant to preserve the peace, but they did not remain long at the farm, as their presence there was not required. Since that date the police to the number of two men have occasionally patrolled to the vicinity of the farm in the capacity of peace officers, as they are well aware that the landlord's action was calculated to create a feeling of hostility against him and his *employés*. The police have done nothing that could be regarded as assisting the landlord or his *employés* in any way, but have acted simply in their capacity of peace officers.

MR. DILLON: The Chief Secretary admits that three policemen attended on one occasion, and what I want to know is this: If when a landlord proceeds to drive cattle on growing crops on a farm the police are obliged to attend the operation, as they are on the execution of a decree of the courts, and if not, why do they put in an appearance when no breach of the peace had occurred?

MR. J. MORLEY: The police put in an appearance, because they were given to understand that a breach of the peace was not unlikely to happen. Under those circumstances they were bound to go, and, as I have stated to the House, that was when it was thought a breach of the peace might well happen, because of the indignation and disgust which these proceedings gave rise to.

MR. HARRINGTON (Dublin, Harbour): When the police went on this duty were they aware that it was for the purpose of placing cattle on growing crops—were their services asked for this purpose, and were they aware that was the duty they were on?

MR. J. MORLEY: Their services were certainly not asked to assist this transaction of driving the cattle on to the growing crops.

MR. HARRINGTON: Were they asked to be present, and did they know the purpose that was to be carried out?

MR. J. MORLEY: I really cannot tell what was the purpose of the operation; but they were given to understand that a breach of the peace would take place on this spot, and they did no more than their duty in being there to prevent it.

*Mr. J. Morley*

**MR. W. REDMOND** (Clare, E.): Is not the Chief Secretary well aware of the fact that conduct such as this on the part of Lord de Freyne, which causes, as he says, indignation and disgust, would never be attempted by Lord de Freyne if he was not well aware that he would receive the support and the protection of the police? I would ask him whether once and for all he will now say that he will give orders to the police not to afford protection in cases of this kind, or to seem to afford protection in such cases which have created disgust and indignation?

**MR. J. MORLEY**: I cannot, of course, give orders to the police not to be present on occasions when they are informed that a breach of the peace is possible and likely. It would be quite contrary to any sense of duty that I should give such an order.

**MR. W. REDMOND**: Is it not a fact that on such occasions it is perfectly notorious that the presence of the police rather tends than otherwise to a breach of the peace?

**MR. SPEAKER**: Order, order!

**MR. HAYDEN** (Roscommon, S.): Is it not a fact that terms were recently offered on the part of the evicted tenants to Lord de Freyne, and that they were refused?

**MR. J. MORLEY**: I am not aware of that.

**MR. CAINE** (Bradford, E.): Did the information as to a breach of the peace being likely to occur come from Lord de Freyne?

**MR. J. MORLEY**: I cannot undertake to describe all the circumstances of this case.

**MR. W. REDMOND**: May I ask the Chief Secretary or the Home Secretary whether in England if a case occurred in which the landlord sent cattle in to trample down the growing crops of a farm a large force of police would be ordered to attend?

[No reply was given.]

#### WELSH FORESTRY EDUCATION.

**MR. HERBERT LEWIS** (Flint, &c.) asked the President of the Board of Agriculture what proportion, if any, of the grant given by the Board of Agriculture towards the promotion of education in forestry is expended in Wales?

**MR. H. GARDNER**: I have no separate fund at my disposal for aiding education in Forestry either in Wales or elsewhere, but of the £8,000 provided in the Estimate for my Department for the work of agricultural education generally I found myself able last year to award £1,500 to the University College at Bangor and Aberystwith, and it would be competent for those colleges to apply a portion of the grants thus made to them to such forms of forestry instruction as are in demand in their respective districts if they considered it desirable to do so.

**MR. HERBERT LEWIS** asked the right hon. Gentleman whether he was aware that most of the oak used in building Her Majesty's Fleet was grown in Wales, and that, in fact, the wooden walls of old England consisted of Welsh timber?

**MR. H. GARDNER**: I must ask the hon. Gentleman to put that question on the Paper.

#### THE HOUSE OF LORDS.

**MR. S. KEAY** (Elgin and Nairn) asked the Chancellor of the Exchequer whether, having regard to the expressions of public feeling which had taken place throughout the country, and particularly at the conference of Delegates recently held at Leeds, against the rejection by another branch of the Legislature of Bills which had been passed by the House, Her Majesty's Government, in accordance with the precedent already laid down by the House in three Resolutions passed on July 6th, 1860, would consider the advisability of again bringing forward resolutions directed to a similar object—namely, to guard for the future against an undue exercise of the power of the Lords to reject Bills?

**THE CHANCELLOR OF THE EXCHEQUER** (Sir W. HARCOURT, Derby): This is a large question, and I do not think that it can be dealt with in the way of question and answer.

#### ANARCHIST PLACARDS.

**MR. DARLING** (Deptford) asked the Chancellor of the Exchequer whether he could give the House any information as to the statement which appeared in *The Westminster Gazette* of that afternoon that the police had seized a large number of Anarchists?

placards in Paris which had been printed in England?

SIR W. HARCOURT: I do not know anything of the circumstances of the statement.

#### THE SUSPENSION OF THE TWELVE O'CLOCK RULE.

MR. A. J. BALFOUR (Manchester, E.): I should like to ask a question of the right hon. Gentleman with regard to the Motion that stands in his name for the suspension of the Twelve o'Clock Rule to-night. I do not propose to object to that Motion, but it must not be understood that in agreeing to it I think it possible for the Debate on the Evicted Tenants Bill to close to-night. I do not know whether the right hon. Gentleman has come to the same conclusion as I have, that it is impossible to finish the Debate on the Bill to-night, or whether he proposes to sit long after 12 o'clock, or merely proposes to use the extension of the time to allow the hon. Member who may be in possession of the House at midnight to finish his speech.

SIR W. HARCOURT: I put this Motion down in the hope and with the expectation that the Debate on the Evicted Tenants Bill might be concluded to-night, and not with the intention of keeping the House up late. I wished rather to give the House an opportunity of concluding the Debate to-night if it were disposed to do so, but my intention is not to ask the House to sit late.

#### SITTING OF THE HOUSE (EXEMPTION FROM THE STANDING ORDER).

Ordered—

"That the proceedings on the Evicted Tenants (Ireland) Arbitration Bill, if under discussion at Twelve o'clock this night, be not interrupted under the Standing Orderittings of the House."—(Sir W. Harcourt.)

#### ORDER OF THE DAY.

#### EVICTED TENANTS (IRELAND) ARBITRATION BILL.—(No. 176.)

#### SECOND READING. [ADJOURNED DEBATE.]

Order read, for resuming Adjourned Debate on Amendment proposed to Question [19th July], "That the Bill be now read a second time."

*Mr. Darling*

And which Amendment was, to leave out the word "now," and, at the end of the Question, to add the words "upon this day three months."—(Colonel Sanderson.)

Question again proposed, "That the word 'now' stand part of the Question."

Debate resumed.

MR. HALDANE (Haddington) who said, that when his speech was interrupted at midnight he had traced the history of Irish land legislation from 1870 down to 1887; had pointed out that the uniform idea which unlay that series of Acts of Parliament was the dual interest, recognised and made equal of the tenants and landlords in the soil; and that the Bill now before the House was only a further and consequential step towards the recognition of that interest. He did not intend to pursue further that branch of the question, but desired to deal with the arguments that had been put forward last evening by the hon. and learned Member for the University of Dublin. The hon. and learned Member asked why the right hon. Gentleman the Chief Secretary for Ireland did not leave the evicted tenants to enforce their claims for compensation under the provisions of existing legislation. The answer to that argument was conclusive. There were three classes of evicted tenants, two of which had been wholly and totally outside of those provisions. They were, first, the tenants from year to year who were evicted before the Act of 1881, and, secondly, the leaseholders who were evicted before the Act of 1887. Both those classes had been outside the beneficent scope of the legislation to which he had referred; and had been left entirely to the mercy of the landlords. The third class of evicted tenants had been, it was true, within the scope of that legislation, but they were now in a position which made it urgently necessary in the interest of social order in Ireland that something should be done to relieve them. Those who knew the circumstances of the agrarian dispute in Ireland, knew that it was a point of honour with this third class of evicted tenants not to enter the Courts to make a claim for compensation for disturbance, because of considerations which, whether they were right or wrong, was immaterial to the

issue. That was the answer to the argument of the hon. and learned Gentleman that the evicted tenants should be left to proceed under the existing Acts. He now came to the scheme of the Bill and to the criticism to which the hon. and learned Member subjected it. Summarising his arguments, the hon. and learned Member said the scheme of the Bill was unjust, confiscatory, and without precedent; and he based his adjectives to some extent on argument, but principally on strong language. A greater misapprehension of what were the proper inference to be drawn from the existing state of things in Ireland and more extraordinary perversions of the position of the tenants in Ireland than were contained in the speech of the hon. and learned Member for the Dublin University he had not heard for a long time. He hoped to be able to show that the principal arguments of the hon. and learned Member—for he did not propose to deal with all the hon. and learned Gentleman's arguments—were not well founded and were contrary to well-ascertained facts. The hon. and learned Gentleman had described the tribunal which was to try the cases of the evicted tenants as a political job. He could not believe that the hon. and learned Member applied that term in its proper sense to the constitution of the tribunal. The ordinary meaning of a political job was the creation of an appointment for the sake of someone who was to be benefited. But the arbitrators had been most carefully chosen by the Chief Secretary with a view to getting the best men that could be found for the positions, and entirely free from partizanship. One of them, Mr. Piers White, was a distinguished equity lawyer and a well-known Unionist; the second, Mr. Greer, was also a Unionist; while the third, Mr. Fottrell, had a reputation of having succeeded in settling questions that had arisen between landlords and tenants in Ireland more successfully than any other man in Ireland. A tribunal constituted as this was must command confidence. Its functions were to deal with a social emergency, with a situation of great difficulty, in a way that would cause the least friction, to act as a medium through whom landlords and tenants might come together to settle their difficulties. It might be asked why matters were not left

to proceed under Section 13 of the Act of 1891. All parties were agreed that that section had failed, though there was considerable dispute as to the reasons which brought about its failure. The Leader of the Opposition had said that it would have attained the object in view if only the tenants had been left alone and had not been intimidated. This matter had been investigated by the Mathew Commission, who gave various reasons why the clause had been inoperative, but they declared that there was no evidence of any attempt having been made to induce the tenants not to avail of the section. It was sufficient for present purposes that the section had not been successfully applied, and that some other step was necessary to heal the social evil in Ireland. That step was proposed by this Bill with the object of bringing landlords and tenants together and putting the tenants back on the land. So far as compulsory powers went, the Bill applied only to holdings which were vacant or in the occupation of the landlord. There was nothing in the Bill to interfere with, in any way, the rights of existing tenants. The procedure was simple, because it was founded upon the assumption that the arbitrators were to be trusted to do justice between man and man, and were therefore invested with large discretionary powers. In the first place, the Commissioners had to consider whether there was a *prima facie* case for reinstatement. There was no difficulty or ambiguity about making out a *prima facie* case. Paragraphs 38 to 42 of the Report of the Mathew Commission showed the personal and local circumstances which entered into the question whether it was desirable that an applicant should be reinstated. There were public circumstances to be taken into account, such as whether the reinstatement of a tenant would tend to the peace and good order of the district; and also personal circumstances, such as whether any injustice was done to the individual in the eviction. Having decided that there was a *prima facie* case for reinstatement, the arbitrators made a conditional order, and the landlord was entitled to come in and show why the order should not be made absolute. In all that there was nothing new. The free-sale clause of the Land Act of 1881 left more difficult questions



to be decided by the Courts. Under that clause, if the landlord objected to the new tenant who purchased the old tenant's property in the farm, the Court was to dive into the mind of the landlord and to consider his motives and the reasonableness of his refusal. The 29th section of the Land Act of 1887 gave power to Commissioners to reduce rents merely upon their own unfettered discretion and opinion, without hearing evidence or counsel as to the prices of agricultural produce prevailing in the particular district. If the arbitrators came to the conclusion that the tenant had made out his case, they made absolute the order for his reinstatement; and even then came into operation provisions which further sheltered the landlord—namely, the purchase clauses of the Act of 1891. Dealing with this part of the Bill the hon. and learned Member for Dublin University said that it introduced the entirely new and novel principle of taking property of which one man was in occupation against his will and transferring it to another person, and that there was nothing in the things which the Act of 1881 allowed comparable to the things sanctioned by this Bill. When he said that nothing in the Act of 1887 was comparable to this Bill, the hon. and learned Gentleman must have forgotten that Section 13 of that Act, among other things, provided that, when a landlord had his contract of tenancy violated and had brought ejectment proceedings, the tenant was still entitled to ask the Court to stay proceedings in order that a fair rent might be fixed. In the present case, of course, there was no tenant in occupation, but he could not see the difference between a man who had no legal right in the farm, who was there as a wrong-doer, and a man who had gone out of occupation. In the Act of 1887 the very same provision was repeated in substantially the same terms; and, as he had said, under the free-sale clause of the Act of 1881 a tenant might be put into a farm of whom the landlord knew nothing and with whom he might wish, perhaps, to have nothing to do. The principles of those Acts were based on the fact that the interest of the tenant was as good as the landlord's in the soil, and it was that dual ownership in the land that was sought to be further protected by this Bill. But it was not necessary to go

to Ireland to find a precedent of a Government taking land in the occupation of a landlord and handing it over to a tenant, whom possibly the landlord would rather not have. Only a few weeks ago Parliament carried the Parish Councils Act, a clause of which enabled the County Council compulsorily to hire land, to take it out of the occupation of the owner, whether the owner liked it or not, and use it for allotments, and that was a precedent which it was also proposed to follow in the Local Government Bill for Scotland. The hon. and learned Member for Dublin University further said—

“You are not only doing this wrongly and without precedent, but you are doing it without giving adequate compensation to the landlord; you are taking away the landlord's property without giving him adequate compensation.”

The hon. and learned Gentleman cannot have examined the provisions of the Bill. It was true that the Bill proposed that the tenant was to be reinstated in the holding, and presumably at the old rent; but there was a section—which the hon. and learned Member had overlooked—which provided that the land should be subject to a fair rent, fixed under the provisions of the Land Act of 1881, and under that section any improvements which the landlord might have effected in the holding, while it was in his possession, would be taken into account by the Sub-Commissioners in determining the rent of the holding. Therefore, it was not true to say that under the provisions of the Bill no compensation would be given to the landlord, for compensation would be given and would be fixed by a tribunal which no one would say had been unfair to the landlords of Ireland. The hon. and learned Member also said that it was a monstrous thing to go back to 1879—15 years ago—to include in the operation of the Bill all tenants evicted since then; and that such a course was contrary to the analogy of the Statute of Limitations. What had the House to do with the Statute of Limitations in a question of this kind? They were settling a broad question of policy. They were not prescribing limitations within which a Court was to give judgment; but they were providing for tenants evicted since 1879, and in so doing they were following the analogy of Section 13 of the

Act of 1891, which was introduced by the present Leader of the Opposition. Another argument of the hon. and learned Member which, he confessed, filled him with astonishment was that the Bill would apply to holdings of every kind; and that the case of a man who was evicted from a house in Dublin 15 years ago would come under its operation. Again, he should ask, Had the hon. and learned Gentleman read the Bill?—had he looked at the Definition Clause, which said that the word “holding” was meant as defined by the Land Act of 1881? If the hon. and learned Gentleman would look at Clause 58 of the Act of 1881 he would find the definition of “holding.” What was intended was perfectly plain, and no Court would have any difficulty in coming to a conclusion in the matter.

MR. CARSON asked whether the whole of the 58th section of the Act of 1881 was included in the Bill? The hon. and learned Gentleman was wrong in saying that that section was the definition section.

MR. HALDANE said, he was told by those responsible for the Bill that it was the intention of the draftsman to apply to the word “holding” in the Bill the definition in the Act of 1881. For himself he had not the slightest doubt that the Court would have no difficulty in construing the provisions of the Bill; but if there was anything wrong in the matter—and he did not believe there was—it could be set right in Committee. In any case, the suggestion of the hon. and learned Member that the Bill could be applied to houses in Dublin was absurd.

MR. CARSON: Does it apply to demesnes?

MR. HALDANE replied that the Land Act of 1881 expressly excluded town parks. Another suggestion of the hon. and learned Gentleman was that this Bill would be applied to purchasing tenants. He could hardly believe his ears when he heard that suggestion. Where a tenant had purchased his holding the landlord had no legal occupation of the land, and the Bill applied only to holdings where the landlord was in occupation and where there was no tenant. It was abundantly plain that under no possible circumstances would the position of the purchase tenants be

marred in the slightest degree. The hon. and learned Member also described some cases of hardship which he argued were possible under the Bill. It was easy to imagine thousands of cases which would be hard if they happened; but the answer was that here was set up a tribunal composed of trusted men, the majority of whom shared the political opinions of the Irish landlords, to whom Parliament had given large discretionary powers, who would see that no injustice was done to anyone in the administration of the Act, and who would certainly not put into the holdings the ragamuffin tenants to which the hon. and learned Member had alluded. The hon. and learned Member, in alluding to the clause which enabled the arbitrators, if they thought the holding was an insufficient security, owing to the deterioration, for an advance for purchase, to demand additional security, said that the interest of the tenant in such a case would not be sufficient security for the advance of public money. But the very words of that section were the words of the 13th section of the Act of 1891. They were words drafted and approved of by the late Government, and the draftsman of the present Bill had simply taken this provision—this very useful provision—from the Act of 1891, which the arbitrators might be entrusted to exercise sensibly. Then came the question of “the planters.” But the Bill did not propose to confer any powers upon this or any other tribunal for evicting tenants who were actually in occupation. If those tenants did not wish to go they need not go, and they would not be asked to go. They would have a conditional order served on them, and then they would have the opportunity of coming forward and expressing their will, and whatever their will was their legal rights would be. It was suggested that if the Bill were passed the planters would be exposed to intimidation and violence. But those planters were not new arrivals on the scene. Many of them had lived on their holdings since 1879. They had become “land-grabbers”—to use the expression applied to them—a long time since, and they would not become land-grabbers the more by refusing to leave their holdings under this Bill, and having escaped destruction all those years,



it was hardly possible that that doom would reach them in the year 1894. Had there been a time in the whole of the last 20 years when Ireland had been more peaceable and more free from disturbance than at the present time? To say that those men would run a serious risk of outrage under the operations of the Bill was really to bring forward an argument that was not serious. He had endeavoured to put before the House considerations which seemed to him to make it right that this Bill or some proposals of the same shape or form should become law. It seemed to him that the lines upon which the Bill proceeded were the only lines on which it was possible to deal with the social problem in Ireland. Remember, it was only a few days ago when all Parties in the House were agreed that the question of the evicted tenants needed settlement, and that that settlement could be accomplished by setting up such a tribunal as was proposed in the Bill and giving it a sufficient grant of money for the purpose. In fact, the only objection then urged against the proposals of the Government was founded on the contention that the funds proposed to be given to the tribunal were insufficient. That defect had now been cured. It was proposed to give £250,000 to the tribunal, and, judging by the calculations made by the Mathew Commission, that sum ought to be more than sufficient to accomplish the end in view. He wished this matter had been approached in the spirit which had been evinced not only by the right hon. Gentleman the Member for Bodmin and the hon. Member for South Tyrone, but by persons who had a greater interest in the Irish soil and a greater stake in the country. He referred last night to an article by Lord Monteagle in *The Nineteenth Century* for June. He should like to read an extract from that article—

"I approach the subject from an Irish point, disregarding party considerations. I shall try, moreover, to treat it without any landlord bias, and, especially at the outset, I wish to disclaim any sympathy with the vindictive feelings imputed (though I am sure in the great majority of cases unfairly) to the landlords affected. I heartily endorse every word quoted by Mr. Morley from Mr. Balfour's speech in 1891, on the 13th clause of the Act of that year:—'And for my own part, if I were an Irish landlord, even if it were not wholly to my own personal and pecuniary interest, I should desire to restore

peace to that part of the country in which my property was situated, and to see that on fair, equitable, and even generous terms the tenants were restored to their ancient homes.' Such vindictive feelings operating as a bar to reinstatement of solvent tenants I believe to be quite exceptional, though landlords who have been attacked by the Plan, would be more than human if they felt very charitably disposed even towards the tools of that conspiracy. But it would be wiser, in my opinion, to afford a *locus penitentie* even to the ringleaders, if solvent, or capable by any means of retrieving their character and position."

Those views were the views of a great many of the landlords of Ireland. He trusted that they would prevail in the House of Commons. They could not hope for finality through a Bill of that kind; they could not hope that the Bill would solve this difficult and intricate social problem in Ireland, but it was certainly a step in the right direction, and a step in the only direction possible; and he believed that if hon. Gentlemen opposite would only consider the matter in a fair and reasonable spirit they would come to the same conclusion. He hoped it was not too late for the House as a whole to approach the question in a spirit that was above Party; and he trusted in the interest of the evicted tenants, in the interest of the landlords of Ireland, and last, but not least, in the interest of this British House of Commons, that the Second Reading of the Bill would be passed without a hostile Division.

Mr. BARTON (Armagh, Mid) said, that no one could find fault with the tone and substance of the speech of the hon. and learned Member for Haddington; but he could assure the hon. Gentleman that he was mistaken in thinking that his side of the House had a monopoly of sentiments of compassion for the evicted tenants, or of the desire to see justice done to them. The part of his speech in which the hon. Gentleman was least successful, and in which he entirely failed to carry the House with him, was the part in which he tried to answer the convincing speech delivered last night by the hon. Member for Dublin University. Nobody who had heard that speech, which had so deeply impressed the House, would say—nor, indeed, did he think even the hon. and learned Member for Haddington supposed it—that the speech of the hon. and learned Member had afforded even the fragment of an answer to the convincing arguments of the hon.

Mr. Haldane

Member for Dublin University against the Bill. The hon. and learned Member for Haddington had dealt with the Bill from two points of view—from the point of view of the law and from the point of view of the facts. He was bound to disagree with the facts of the hon. and learned Gentleman when he found that they had been produced from the Report of the Evicted Tenants Commission. He had never joined in any disrespectful observations on the distinguished Judge who had presided at that Commission; but he said that the way the evidence was given—unsworn, untested by cross-examination, and unanswered by any evidence on the other side—would deter anyone who desired to arrive at a just conclusion from paying the slightest attention to the conclusions of the Commission. He would read a sworn statutory declaration made by Mr. Long of Waterford, which would illustrate the way the evidence was collected. A witness was asked—

"How could you have given such evidence, which you must have known to be untrue?"

The answer was—

"Sure you will not blame me when I tell you that they gave me 8s. a day, paid my tram fares, and took me to all the shows in Dublin. They also restored my pension of £10 a month, and I am now getting it regular."

That was only one example of the statutory declarations which had been made on a number of estates to answer the unsworn statements made before the Commission. Therefore, the evidence on which the hon. and learned Gentleman founded his facts was absolutely unreliable and absolutely misleading. With regard to the legal arguments of the hon. and learned Member, he would not argue with him as to the compulsory clauses of English Acts of Parliament; but when the hon. and learned Member came into conflict with such a distinguished Irish lawyer as the hon. Member for Dublin University as to Irish law, no one would hesitate in accepting the views of the hon. Member for Dublin University. The hon. Member for Haddington said that they had in the Land Act of 1881 a precedent for the compulsory putting of a tenant on the property of a landlord. But there was no analogy between the two cases at all. In the case under the Act of 1881 there was an existing tenancy; there was a tenant in possession, and it was only a change from that tenant to

another tenant who came in under that principle of free sale. But the case in this Bill was that of a landlord who had his own property in his own hands; and who had a tenant forced in on that property against his wishes. The hon. and learned Gentleman also said that the hon. Member for Dublin University was wrong as to the definition of "holding" in the Bill; that the definition was the definition of "holding" in the Land Act of 1881, and he quoted Section 58 of the Act in support of his argument. He had not the Act with him, but, speaking from recollection, the hon. and learned Member had left out words which would show that he was wrong, and that the hon. Member for Dublin University was right.

MR. HALDANE: The words are—

"This Act, with the exception of so much thereof as amends the Landlord and Tenant (Ireland) Act, 1870, in respect of compensation for improvements, and with the exception of Part Five of this Act, shall not apply to tenancies in."

MR. BARTON said, that was his point. The Act of 1881 did not include those tenants. And what was further, the right hon. Gentleman the Chief Secretary on the previous night could not answer the question put to him as to whether demesne lands, pasture holdings, and town parks came within the scope of the Bill. Categorical questions were put to the right hon. Gentleman on each of those points, and the answer in each case was "We shall see." This point, however, was important because the Bill provided that where a tenant was reinstated under its provisions he should become a present tenant; so that while the honest tenant, the pasture tenant, the town park tenant, and the demesne land tenant would be unable to come in and claim to have a fair rent fixed, the dishonest tenant, he who had been evicted under the Plan of Campaign, would be able to acquire all the rights under the Land Act which the ordinary tenant in Ireland would have. He did not think it would be contended that the word "holding" in the Bill did not include every "holding" in Ireland. What was the rest of the answer of the hon. and learned Gentleman? He appeared to stake everything on the *personnel* of this tribunal. They asked what security

was there that the vague and indefinite powers unknown to the law which were conferred on it by this Bill would be exercised properly? and they asserted that the House had no right to make laws according to which the rights and property of tenants would be dependent, not upon the law of the land, but on the individual persons who composed this tribunal. They asserted, further, that there was no precedent for such a proposal, and nothing showed the injustice of the Bill more than that reliance upon the sense of justice of the Commissioners—this falling back absolutely and solely on the *personnel* of the tribunal, and this assertion that they must trust entirely to the justice of these men. He and his friends declined thus to sacrifice principle to personality. But what about the *personnel* of the Commission? Nothing was more difficult and more unpleasant to him to have to criticise particular individuals who were known to him; but this he would say: that nobody could assert that Messrs. Fottrell and Greer were on the side of the landlords, or that they would be on the side of the new tenants. He had not a word to say against these gentlemen personally; he did not even know Mr. Greer; but this he would say—that in his opinion they were not men with that backbone and of that firmness and fortitude of character necessary to enable them to deal with the problems that would be presented to them under the working of this Bill, nor would he be willing to entrust the administration of such wide powers to them. Again, what security had they that Mr. White would remain on the Commission? When the Mathew Commission was constituted a Member was placed upon it in whom they could trust. But what happened? Hardly had it commenced its investigations before that gentleman realised that a task had been imposed upon him which it was impossible for him to perform. The hon. and learned Gentleman had argued that they should let bygones be bygones, that there should be a development of Clause 13 of the Land Act of 1891, that a great social plague should be cured, and that a difficulty should be removed from the path of the Unionist Party. What did this mean? He joined with every Member of the House in saying that mere resentment against the tenants was neither statesmanlike, humane, nor

*Mr. Barton*

politic, and he hoped that the vote of no man would be regulated by such a feeling of resentment. They were willing to admit the attractive character of the appeal so far as it did not interfere with the lawful rights of other citizens. They might forgive those who had broken the laws, but at the same time they must not forget that there was one class of men who deserved nothing but consideration. Let them take the case of the landlord, who had offended in no way against the law. He was offered the alternative either of accepting a tenant who was obnoxious to him or insolvent, or both, or to sell his property at a price which, if it was to be fair to the State or the tenant, must be unfair to him. Besides, what security had the landlord that the rent of the new tenant would be paid? The hon. and learned Gentleman told them he would be compensated by the Government, and that he would have a rent fixed for his land. But what security was there that a single penny of that rent would be paid? In most of these cases the tenant was insolvent, and he was to be helped by the State to pay even a small composition for arrears. Again, there was no power in the Bill to compensate a landlord who had spent money in the improvement of his property during the interval. His hon. and learned Friend the Member for Dublin University on the previous night quoted the case of a tenant evicted for rent arrears to the amount of £1,200. The landlord resumed possession; he found the farm buildings and farm very much deteriorated; he spent considerable sums on getting them into proper condition and last year he made £600 upon it, or £200 more than the rent. Was the tenant in that case to have a right to reinstatement? Was the landlord to have no compensation for his outlay? The hon. and learned Gentleman the Member for Haddington suggested that perhaps the tribunal would refuse to reinstate in such a case. But what would happen to the present tenant? What chance of social order would there be under such circumstances? The new tenant had the terrible alternative either to leave with compensation in the shape of one year's rent, or to be boycotted, intimidated, and possibly killed. Nobody would deny that a man who remained on a farm under such circumstances would do so at the risk of his

life. Were they to let bygones be bygones on terms so unjust as these? They could not. But there were other tenants in Ireland who had to be considered—tenants who had been reinstated by their landlords before this Bill came into operation. What was their position? There had been a number of such cases. On three estates tenants had been reinstated, some paying six, some four, and the majority two years' arrears. Such cases had occurred on the Cloncurry Estate where the restored tenants had been granted 31 years' lease of pasture land, and on the Olphert Estate, where a number of tenants had been put in as future tenants on paying two years' rent with costs. It surely was apparent that the men who had resisted the law, and who would be restored under this Bill would be more favourably situated than the men who had submitted to the law, and who had been reinstated in a legitimate manner on payment of a certain amount of arrears. He had consulted the tenant-farmers in his own constituency and they had expressed their profound indignation against the Bill, which they said was an insult and an outrage to every honest tenant. They had directed him as their Representative to oppose the Bill as far as he could. What was the position of the ordinary solvent tenant compared with the tenant who would come under the Bill? As to arrears, the honest tenant was liable for six years' arrears; he could be made bankrupt for them, and he could be evicted for one year's arrears. The evicted tenant under the Bill had the benefit of a compulsory composition, under which he need pay only one year's arrears. As to arrears, many an honest tenant had his house in bad repair, and he had to pay for the repairs out of his own pocket. But the evicted tenant whose house was in bad repair, perhaps because of his resistance to the bailiffs, was to have £50 to effect repairs. Was that a fair and equal arrangement as between honest and dishonest men. As to purchase, the honest tenant, if he wished to buy his farm, must go to the Land Commission, a permanent Public Department, which required the strictest security for the advance. But the evicted tenant did not go to a Public Department, but to a temporary tribunal erected for the purpose of reinstating

him. The honest and solvent tenant was only accepted as a purchaser with a guarantee deposit, consisting of one-fifth of the purchase-money kept back. But the insolvent tenant was to be accepted without any guarantee deposit. He ventured to assert that this was most unjust, unequal, and unbusiness-like, and he hoped that the taxpayers of this country would realise the risks that were thus being imposed on them. It was said that the Bill was only a development of Clause 13 of the Land Purchase Act. There was not a shadow of foundation for the suggestion. Under that clause no property was taken from anyone, and still less was it taken without compensation; but under this Bill the landlord's property was taken compulsorily and without compensation. Under Clause 13, again, no landlord could be forced either to accept an obnoxious or insolvent tenant, or to sell his property at a price fixed by a temporary tribunal, but that was what the Bill did. The clause did not force any tenant on the State at the discretion of a temporary tribunal; and it did not interfere with any new tenant who had taken land and made it his own. Under the Bill the new tenant must go out, or remain to be the target of intimidation and possible outrage. There was no objection to re-enacting Clause 13, in as far as it enabled a tenant, if he were solvent and had the landlord's consent, to purchase his holding. The Chief Secretary's chief point was that this Bill would settle a great difficulty in Ireland. If that were so, no doubt many Members would be prepared and, indeed, willing to make many sacrifices of principle. But would it settle the question? What did the hon. Member for the Harbour Division of Dublin say on this point? He was an authoritative witness, and he said that, so far from settling the question, the Bill would disturb Irish society; it would lead to disorder, contention, and strife. Would it stop crime and disorder? No; the hon. Member told them it would be an additional incentive to crime and disorder, and would lead to agitation far worse than had ever been seen in Ireland. The hon. Member said to the evicted tenants that if they did not make the position uncomfortable for a man who had a farm, and if public opinion was not strong enough to drive him out of it, there was no hope for them.

MR. T. HARRINGTON (Dublin, Harbour): I am sorry to interrupt the hon. and learned Gentleman, but that was not my language as applied to the Bill, but as to one very inadequate provision of it, which allowed the tenant-right of an evicted tenant to be taken by the new tenant without compensation.

MR. BARTON said, he admitted the hon. Member was an authority to whom they ought to listen. But the whole of his speech was directed to the fact that compulsory powers were not to be applied to the new tenant. All these great sacrifices of principle were to be made, while one of the most trustworthy witnesses on the subject declared that they would not settle the difficulty. It was said that the Bill would remove a difficulty from the path of the Unionist Party. But he denied that the Unionist Party had made pledges which they could not redeem. That was the difficulty of the Government, far more than disorder. Right hon. and hon. Gentlemen now seated on the Ministerial Benches had made pledges which they now found it difficult to fulfil. The Amendment left Unionists perfectly free to do justice in this matter at any time. The Unionist Party when they came into Office would not find themselves bound, like the right hon. Gentleman opposite was, in dealing with the Irish evicted tenants' question, by pledges and prejudices. All the Unionist Party wished was to do justice, and that was the extent of their pledges and of their declarations. The Unionist Members had some difficulty in finding out what were the motives of this Bill. There could be no question involved as to the merits of the tenants or the demerits of the landlords. If any case was attempted to be made out on behalf of the tenants the landlords would, of course, make out their case. Believing as he did that the Bill was essentially a dishonest one, he should give it his unqualified opposition. The measure was that of a desperate Government, and unworthy of the character of its Members as statesmen.

MR. HARRINGTON said, it was quite evident to him and to other Members of the House that the Party represented by the hon. Member who had just sat down and the hon. and learned Member for Dublin University did not contemplate becoming responsible for the

government of Ireland for many years to come. Otherwise they would be glad to have this difficult and burning question settled. He could not conceive how, considering the pledges made by hon. Members, they should have set their faces against any settlement of this question. The hon. and learned Member for Dublin University had quoted some criticisms of his in condemnation of this Bill when it was first introduced. He was prepared to stand by the criticisms which he made then, and which he repeated now, that the Bill was utterly and wholly inadequate to settle the evicted tenants' question. Of course, he knew what the difficulties of the right hon. Gentleman the Chief Secretary for Ireland were, and what were the different interests that he had to conciliate, but he regretted that the right hon. Gentleman had not taken a bolder course and a higher stand with regard to it. The hon. and learned Members who opposed the Bill had endeavoured to lash themselves into fury in respect of several of its provisions, and the hon. and learned Gentleman who had just sat down had objected to the measure on the ground that the landlords were not compelled under its provisions to give a certain amount of security that the purchase instalments would be paid by the reinstated tenants. But surely in that respect a concession had been made in favour of the landlords. He was glad to find that, as a fact, no objection had been raised to the three gentlemen who had been chosen to act as arbitrators under the Bill.

MR. BARTON said, that he was one of those who took objection to the gentlemen who were selected to act under the Bill.

MR. HARRINGTON, continuing, said, he supposed it was impossible to satisfy the hon. and learned Gentleman. Two of the arbitrators selected belonged to the same political Party to which he (Mr. Barton) belonged, and one of them was a gentleman to whose opinion upon matters of this kind they might very well object altogether. He had previously held an official position in Ireland, and they had some recollection of his extraordinary pranks. Still, they believed that he was impartial. However, as he had said, the majority of the Commission were certainly of the same



political opinion as the hon. and learned Member, and he congratulated the Chief Secretary upon the fact that he had been able to pick out three members for the Commission about whom no opinion of a hostile character could be offered. The hon. and learned Member for Dublin University had declared to the House that the Irish landlords were immaculate, and that they had never robbed the people who were their tenants. Surely the hon. and learned Gentleman must be ashamed of the instance in which a landlord recently drove his cattle through the growing crops of an unfortunate tenant. It was very well known that there were cases of eviction in Ireland which no one could defend, and it was admitted on all hands that several classes of tenants were in no degree protected by legislation. It was asked that there should be a revision of judicial rents, and that the law should be made to include freeholders, but this was refused, and then the Plan of Campaign followed as a necessity. A year after a Tory Government proposed legislation, but in the meantime all the mischief had been done. He was not going to say that the Plan of Campaign might not be condemned, or that it was altogether defensible. It was a terrible necessity, and thousands of tenants were saved because of the pressure that it brought to bear upon the landlords. What was the difference between those who were evicted before the Act of 1887 and those whom it saved? Had those who were relieved by it a stronger claim as better tenants than those who were removed six months before by more aggressive landlords? There was no reason or common sense in describing one set of men as criminals and scoundrels, and the others as honest men. Let them look at the matter from the point of view of the landlords. One landlord was tolerant; he gave a little time, and did not put the law in motion early enough to anticipate delayed legislation, and by keeping his tenants he had his rents reduced by Tory legislation. Now, it was held that this very legislation should not be used to assist the poor men who were turned out by unreasonable landlords. He knew one leaseholder who, by the Act of 1887, got his rent reduced by £122, which showed that the landlord had been charging him to that

amount upon the tenant's improvements. This man could not have continued paying his full rent, but because he held on until he was relieved by the Act he was described as an honest person. But he had a neighbour who was unable to meet the gale of the rent before the passing of the Act, and who went under, but who was just as worthy a man as the other, and paid as long as he could. Was there nothing to be said for this man and others like him who were the victims of the accident that the Act was not passed sooner, and were these men to be excluded for ever from the benefits of this legislation? It was no objection to the Bill that it did not amend the law, because its only object was to bring within the scope of past legislation the cases that had been excluded from it. As to forcing unworthy tenants on landlords, his experience was that there were very few tenants who would refuse to pay rent if they were able to do so. If it was said that the Bill was introduced for political purposes, he would ask, was there no political motive behind the Opposition Benches that had dictated the speeches made in the course of this Debate? If a Member of the House could go down to an estate to prevent a landlord coming to terms with his tenants, was it wrong of other Members to go to the rescue of the tenants? He was supporting the Bill in the hope that it might be amended in Committee. Many of those who opposed it would only be too glad to avail themselves of its provisions for the purpose of readmitting their tenants, just as was the case of the tenant farmers of Armagh, who denounced as dishonest the Bill of 1887, but yet almost took the doors off their hinges in their anxiety to get into the Land Court to avail themselves of the benefits of the Act.

MR. JACKSON (Leeds, N.): The hon. Member who has just sat down has spoken of the Unionist Party having set their faces against any dealing with the difficult question with which we are now concerned. I do not think there is any justification for saying that the Unionist Party, as a result of their opposition to this Bill, have set their faces against any plan which would tend towards solving what I admit to be a very great difficulty in Ireland. I must, therefore, repudiate on my own behalf, and I am sure I can

do so also on behalf of my friends, any desire to impose difficulties in the way of an honourable and honest settlement of the existing difficulties. The Chief Secretary in his speech deepened the impression which he already entertained of his great desire to find some solution of this very difficult question. I confess that I heard with some regret that the right hon. Gentleman could not resist the temptation to make what appeared to me to be a very gratuitous and unnecessary attack upon the Irish landlords. The right hon. Gentleman had no good word for the Irish landlords, and he described them as persons who in the past had often blighted the peace and order of Ireland. I wonder if he has formed any opinion of those people who have been the principal cause of the trouble which he has now to face—the men who by joining in illegal combinations have created not only difficulties for him, but much greater difficulties for his predecessors in Office. Not one single word had he to say in condemnation of those who had been the main cause of the difficulty. I think it behoves everybody to bring to bear a calm judgment and above all a conciliatory spirit upon this question. I recognise the difficulty in which the right hon. Gentleman is placed, but at the same time, after having carefully considered this Bill, I have come to the conclusion that it would work great mischief, and that it would inflict great injustice. Therefore, I can with a free conscience vote against the measure. Reference has been made to the Mathew Commission and its Report. No doubt that Commission reported that in its opinion the re-enacting of Section B would be ineffective for the purpose of settling this difficult question. The Commission also expressed its regret that a spirit of conciliation appeared to be absent from both sides. I have never heard that any attempt has been made by the right hon. Gentleman to bring about that conciliation which apparently the Commission thought might have produced a different result. The hon. and learned Member (Mr. Haldane) in one part of his speech referred to Lord Monteagle and his article in *The Nineteenth Century*. That article, which the hon. and learned Member appeared to approve of, did not recommend the drastic provisions con-

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tained in this Bill. I am quite sure that everyone who knows Lord Monteagle knows that he tries as a landlord to discharge the duties of his position. Speaking as a man who has tried to do what he can for Ireland and for the tenants, Lord Monteagle expressed his opinion that if it were not all that was necessary, at all events, the first attempt should be some conciliation board to bring these people together who are now so far apart. I am sure that if any attempt of this kind were made there is no man on this side of the House who would offer any opposition to it, but that it would have everybody's support. My hon. and learned Friend the Member for the University of Dublin (Mr. Carson) in what I hope I may without offence characterise as the remarkable and powerful speech he delivered last night, pointed out that this Bill would create great difficulties in many directions where difficulties did not at present exist. He referred with great force to many cases that would be brought under the operation of the Bill, and said that if action were taken under the Bill, the greatest injustice would be done to individuals in Ireland. His statements were challenged in some respects by the right hon. Gentleman the Chief Secretary; but the hon. and learned Member (Mr. Haldane), who had the advantage of being able to look up the authorities, has failed entirely to meet the case put by my hon. and learned Friend. I do not know what the difficulty was, but it appears to me that the hon. and learned Member failed to appreciate, at all events, some of the points which my hon. and learned Friend made last night. My hon. and learned Friend pointed out that in the case of new tenants there was no power under this Bill to do justice to them, and that they could not be compensated even to the extent the law at present provides for certain tenants who may be disturbed in their holdings. He pointed out that under the Act of 1870 a tenant disturbed in the possession of his holding was entitled to claim under the present law compensation to the extent of seven years. The hon. and learned Member (Mr. Haldane) never attempted to meet that point. My hon. and learned Friend asked why, if these men had grievances, they did not go to the Court and ask to have their leases cancelled,



and what was the hon. and learned Member's answer to that challenge? Why, that these evicted tenants, if you please, make it a point of honour not to go to the Courts to obtain redress. The first scruple of honour they have is that they do not pay the rent they have undertaken to pay. What other remedy has the landlord except eviction under such circumstances? The hon. and learned Member, however, defends the position of the evicted tenant, who, without any reason or excuse, refuses to pay his rent, and defends his action in not going to the Court to obtain reinstatement in his holding in the ordinary course and process of law. I do not understand points of honour of that kind, and I do not think it is calculated to improve matters that statements of that kind should go forth from this House. Much has been said in regard to the Bill, and the right hon. Gentleman the Chief Secretary argued that there was in this proposal no new principle, and that precedents might be found for practically everything it contained. I know of no precedent in the law of this country under which you can take a man's property compulsorily away from him, fixing the price without his intervention, or even force on him a tenant whom he is compelled to accept. The Bill no doubt was intended to be a Bill dealing with the difficulty of the Plan of Campaign tenants. Perhaps the right hon. Gentleman thought the House might see some objection to legislation for the relief of men who had combined against the law as had these Plan of Campaign tenants. I will not say that was the reason; but at any rate the Bill we have before us is a measure which is much wider in its scope, and which I think enlarges the area of mischief by reason of the widening of its scope. An attempt has been made to set up some analogy between Section 13 of the Act of 1879 and this Bill. I see no parallel at all between the two cases. Section 13 was passed in order to remove the disability under which tenants and landlords alike laboured because they could not, even though they were agreed as to the price, go into Court, and obtain the advances for purchase which would otherwise be opened to them. I see no analogy at all between the two cases. Under Section 13 there was no compulsion either upon

the tenants or upon the landlords to act. This Bill widens the area. It sets up a new tribunal with power to fix prices, and to take action far and away beyond that possessed by any tribunal at present. It extends to all evictions as far back as May, 1879. It also sets up this new tribunal which has, to a certain extent, co-ordinate powers with an existing tribunal dealing with precisely similar cases. There is, I think, not a county, probably not a barony, in Ireland that will not have had some cases of evictions during this long period of time, and evictions, it must be borne in mind, for perfectly justifiable reasons, and having attached to them no tincture of injustice. Yet you are to have this new tribunal dealing with the same class of cases as the old tribunal, and possibly arriving at different decisions. The result will be to produce collisions between the Land Commission Court and the new tribunal and to create wide discontent throughout the length and breadth of Ireland. I think that is a serious blot upon the Bill. I do not know how it can be remedied, especially if you are to retain in the Bill the compulsory power which is at present there. I think it must be apparent to the House that, instead of tending to settle matters, this Bill will tend still further to disturb them, inasmuch as it will extend the area of disturbance, which is at present limited to a small number of districts, to a much wider district, if not throughout the whole of Ireland. I think that, if for no other reason than this, we should be justified in voting against the Bill. The hon. and learned Member (Mr. Haldane) made a very able argument on behalf of Clause 1, but it appeared to me that he failed to appreciate the point made by my hon. and learned Friend (Mr. Carson), that the compulsory power contained in the clause will and must work great hardship and injustice upon Irish landlords. The landlords in Ireland are entitled to justice as well as any other class of Her Majesty's subjects. The hon. and learned Member expressed his opinion that the instructions to the arbitrators in this clause are instructions to do justice. My contention is that they have no power under the clause to do justice. The hon. Member denied that injustice



would be worked under the clause, and said that when the decision had been arrived at and the tenant reinstated, the landlord would take the tenant to the Court if he wished to have a fair rent fixed under the Land Commission. That, in the hon. and learned Member's opinion, was a guard and protection against any injustice or loss being incurred by the landlord. Let me put two cases to him. Let me first take the case of a derelict farm. The hon. Member will probably say that not much loss will be incurred there. Let us assume that the arbitrators reinstated a tenant on a derelict farm. Why, I ask, was the farm derelict? It was derelict because the tenant refused to pay his rent, and was evicted under due process of law. The farm had remained derelict, let us say, for seven years. Has there been no depreciation of the property due to the action of the tenant and those who supported him in refusing to pay rent? If the landlord takes the tenant to the Land Commission to get a fair rent, on what basis is the Land Commission to fix the rent? Obviously they must fix it on the present value of the holding. Therefore, the landlord has imposed upon him this loss by the action of the evicted tenant, and there is no power under this Bill, even though the arbitrators might consider it just, to make compensation to the landlord. The other case I will take is that of a number of evicted farms on which the landlord has spent a considerable amount of money with the object of restoring them to the condition they were in when the tenant was evicted. The same process may be gone through. It may be that hundreds of pounds may have been expended on this property in order to restore it to its former condition. The fair rent to be fixed would be fixed, of course, upon the present value; but the whole expenditure made by the landlord in order to restore it to the condition it formerly was in would be entirely lost, and no compensation could be given to him for such expenditure. I think these two illustrations show that under this Bill injustice must be worked, as there is no power to give compensation to the landlord for his loss owing to the action taken by those tenants whom you are now seeking to put back upon their holdings. The other alternative which the landlord

has is that he may require the tenant to purchase. The hon. Member for the Harbour Division of Dublin (Mr. Harrington), I am sure unconsciously, entirely misrepresented what my hon. Friend the Member for North Armagh (Colonel Saunderson) said with regard to injury to the security which the State would have for the advance. My hon. Friend pointed out that under the existing law there is a margin deducted from the value of the security and left by the Land Commissioners for a number of years, but that in this case there would be no margin of security. My hon. Friend was not complaining that this was a grievance which the landlord would feel, but was pointing out that it was an injury which the State might suffer. There is another important point which must be borne in mind with regard to this security. Under this Bill the purchase price is to be fixed by arbitrators, and the Land Commission, who are to advance the money, have no power to refuse this security or the price put upon it by the arbitrators. They will therefore be in the position of having to accept any security, whereas at present the permanent Department of the Land Commission is responsible for seeing that ample security is provided for all advances they make. I think this is a very important point to bear in mind, inasmuch as it considerably increases the risk which the State will run in making advances under such circumstances. The hon. and learned Member opposite tried to make another point with regard to the free sale tenants. He said there was a power under the Act for the tenants to take the landlords into Court, and that the Court had power to require that the landlord should act reasonably. But surely, Sir, there is no analogy between those two cases. In the former case Parliament gave protection to the tenant so as to prevent some interest of his which possessed a considerable value being rendered null and void by reason of unreasonable conduct on the part of the landlord. The tenant had a right which he could sell in the market, and it would have been grievously unjust if the State had not protected that right. In the same way where a transfer of leave takes place, as it does very often in London and elsewhere, the landlord ought

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not to be able to refuse to accept the new tenant except upon reasonable grounds. But surely there is no analogy between these cases and the case of forcing a landlord who it may be has taken the land into his own hands, and who has been cultivating and improving it for years, to accept a tenant whom he does not want, and possibly a tenant who is unable to pay his rent. I desire to ask the Chief Secretary a question as to Clause 3. Speaking, of course, as a layman with no knowledge of the law, I notice that as regards Section 1 the landlord has power to require the tenant to purchase. Following Section 1 comes the clause which gives to the arbitrators powers to fix the purchase and take all necessary proceedings in connection with it. Then follows Clause 3, which deals with an entirely different class of cases, and provides that the arbitrators shall have in relation to the holding all the powers of the foregoing provisions of the Act. My question is this: Does this power to the arbitrators confer also on the landlord the power to call on the tenant to purchase? If it be otherwise, you might have an agreement come to between the new tenant and the evicted tenant under which no objection would be raised by the new tenant to the reinstatement of the evicted tenant against the will of the landlord. I would like an explanation of what would be the rights of the landlord supposing an agreement were made between the new tenant and the reinstated tenant against his sanction. There is nothing in the clause, so far as I see, that protects the landlord, although there is that in it which protects the arbitrator's powers. I have not very much objection to raise to Clause 3, because it has been rightly recognised, as I think, that in this case there should be no compulsory power exercised. But at the same time there is, I think, a great danger of injustice being done to the new tenants, not by reason of the operation of the law, but by reason of what we may call the pressure brought to bear elsewhere. The hon. and learned Member spoke of the new tenants not in terms of praise, and said they would have the protection which they had enjoyed hitherto. In that view the hon. Member rather differed from the view expressed by the

Chief Secretary on the Second Reading of the Bill, who spoke of what might be the effect of the rejection of the Bill, and the message thereby sent to the evicted tenants, that they need have no further hope. At present the new tenant has the law in support of his position. You are proposing to amend the law, and the new tenant will then be in this position that there will be nothing but his will between him and the evicted tenant, and I think it is easy to conceive how in such circumstances great pressure will be brought to bear, and possibly great injustice worked, by reason of the alteration which you are proposing to make in the law. I am not one of those who are going to charge the Chief Secretary with an indisposition to protect these new tenants. It is his duty to protect every subject of Her Majesty in Ireland, the new tenants just as much as the evicted tenants, and I do not doubt that the right hon. Gentleman will continue to give that protection to them which the law can afford. Clearly they will be in a much less strong position. I know it is customary to speak of these men in terms offensive, and as I think, untrue, and unjust. But I would ask the House to remember the difficult position that these men have filled in times of great difficulty. I think it would hardly be exaggeration to say that at the time when the war was going on between the tenants and the landlords, they exercised the rights of citizens, and took property which was available to them—stood up, in fact, in support of law and order, and I think they ought rather to be praised than blamed for their attitude. I remember well when that war was going on, how carefully and anxiously—and I am sure the Member for South Tyrone will remember this—that hon. Members from time to time, listened for the Reports as to how many farms had been taken, or how many tenants reinstated. These men, I think, performed difficult positions at that time. They showed the courage of their opinions, and I think really that those who are in favour of the maintenance of law and order owe them a debt of gratitude rather than of condemnation. There was a moment when the law was almost on the verge of collapse, and when order threatened to become chaos, and

these men, I repeat, who stood valiantly to their post deserved commendation rather than blame. They are entitled to protection, and I hope they will continue to receive it as long as they hold their present position. There is one more reason. I will ask this question: Is this Bill likely to settle this question? The hon. Member for the Harbour Division has told us that he adheres to his former utterances. Well, those of us who heard the hon. Member on that occasion will remember distinctly that he predicted that the Bill would not settle the question, and I think there are substantial reasons for believing that that view of the question is not an inaccurate one. The Chief Secretary gave us some interesting figures on the First Reading of the Bill, and they are, as regards the totals, confirmed by the statement of the right hon. Gentleman made yesterday on the Second Reading. The position is this: There are about 4,000 cases. To how many does this apply? The right hon. Gentleman gave us figures on the First Reading, which I will ask permission to re-state to the House. Quoting from the Mathew Commission, he said that on the 17 estates inquired into, there had been 1,350 evictions, that there had been re-instated 415 tenants, and that there were 15 cases of settlements come to between the old tenants and the new tenants, leaving 921 cases to be dealt with. Of this number 215 were new tenants, 20 had purchased their holdings, and 482 were in the hands of landlords or corporations, and 204 were derelict. That accounts for the 921 cases. In addition to the 921 cases, there were 2,755 other applications, and the right hon. Gentleman pointed out at the time that this figure did not necessarily cover the whole ground, because the figures were admittedly incomplete. This would make a total of 3,676 cases, and the compulsory powers of the Bill would apply only to the 686 cases; or, in other words, the compulsory powers of the Bill will apply to less than 20 per cent. of the whole of the cases. Now, I ask whether, supposing the Bill were put into operation to-morrow, and supposing that you deal with the 20 per cent. of these cases, do you think it would settle the question? Is it likely that those gentlemen who have

carried on the agitation in the past, fresh from their new success, would be satisfied to leave the question where it is? No, Sir; I say it is obvious from the figures of the right hon. Gentleman himself that this Bill cannot in its present shape settle the question. Therefore, if for that reason only, I should feel justified in voting against the Bill. But I think there are other reasons also which will lead me to vote against the Bill. I look upon this compulsory legislation as being in itself mischievous and unjust. The right hon. Gentleman himself admits that the Bill is mischievous to some extent. The right hon. Gentleman will remember, I think, that yesterday he spoke of the mischiefs which he admitted were in the Bill.

Mr. J. MORLEY demurred, and was understood to say that what he had said was that for every mischief that could be pointed out in his plan he could point out numbers of mischiefs in others.

Mr. JACKSON: Yes; then I think I am justified in saying the right hon. Gentleman admits mischiefs in his Bill to a certain extent. I do not want to misrepresent what he said in any way. I look upon the Bill as being a mischievous one, and as introducing for the first time powers which are novel in this country. I do not say it is necessarily objectionable from the fact of certain provisions being new; but I say that looking at the conditions of things in Ireland, looking at the people you have to deal with, looking back upon the past, that you may anticipate that this is merely the first step upon an inclined plane upon which you will not be allowed to stop. What an encouragement this will be to those hon. Gentlemen who threaten you with a new campaign, who are certain to institute a new campaign! We have heard much about the wounded soldiers in the old campaign. What a glorious argument this will be for new recruits for the new campaign! The wounded soldiers in the old campaign have been provided for at the cost of the State. The victory rests with them, and the Government has absolutely surrendered at discretion. What a war cry it will be! for those gentlemen will make no secret of their intentions in the future. Sir, I believe the Bill to be

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dangerous; I believe it to be mischievous; I believe it to be calculated to do much harm; and therefore on these grounds and others I certainly shall, with a clear conscience, vote against the Bill.

MR. W. REDMOND (Clare, E.) said, he desired to intervene for a short time in the Debate. At the outset he might be allowed to say that if he knew anything about the evicted tenants in Ireland, and what they had suffered during the last seven or eight years, there was nothing in their lot to encourage other people to assume their position. If the right hon. Gentleman who had just spoken imagined that the fact that these people who had been put back to their homes, after being out on the roadside with their families for eight or ten years, was sufficient to encourage others to become evicted tenants like them, he was speaking without much intimate knowledge of the question. The right hon. Gentleman commenced his speech by saying that he was not going to take up a position of absolute hostility to the settlement of this question. He said that should a well-considered scheme be brought forward it would be regarded by the Opposition, if not with satisfaction, with, at any rate, a certain amount of toleration. He admitted there was a question to be settled, and concluded his speech by finding fault with this Bill, because it would not completely settle the question. That was a totally different position from that taken up by the Member for North Armagh and others. They denied that there was a question at all. They did not find fault with the Bill because it did not settle the question, but what they objected to was the payment of any public money on behalf of a class of people whom they described as undeserving criminals of the worst kind. If the Member for North Armagh and the other Representatives of the landlord party in Ireland were right that those people were undeserving criminals who had brought disaster upon themselves, what did the right hon. Gentleman who had just spoken mean by saying that there was a great question to be settled, and that a well-considered scheme or some other scheme than this would receive the

consideration of the Opposition? These were two totally different positions, which were taken up by the representatives of the landlord party in Ireland and by Members like the right hon. Gentleman, who knew from his experience of Ireland that there was a very serious question to be settled if not by this Government by the next. If it was not settled it would ultimately cost the country far more than the sum allotted for the purpose. The right hon. Gentleman who spoke last had said that the Bill would not settle everything. Of course it would not. When the Land Bill of 1881 was introduced into this House the great argument used against it by the landlords' party was that it would not be a final settlement, and that if that Bill should pass the representatives of the Irish people would still demand more. That was, however, no real argument against passing that Bill. He remembered the late Mr. Parnell said at the time, that though he looked on the Land Act of 1881 with the greatest approval as going a great way in the direction he desired, yet at the same time it would not be a final settlement of the question. The way he was disposed to regard this Bill was in the same light that his leader, Mr. Parnell, regarded the Land Act of 1881. This Bill would, undoubtedly, if properly administered, do a great deal towards settling the question; but it would not settle it altogether, and the question they had to ask themselves was this: Were they going to refuse a Bill which would partially settle the great evil now existing in Ireland simply because it would not absolutely and completely settle it? He for one would not do that, and he supported the Bill as far as it went. But he would tell the Chief Secretary and the Government, what they must know perfectly well, that there was a class in Ireland who would not be touched by the Bill, and who were causing more disturbance than any other class. They were the planters who the late Chief Secretary eulogised, and who by their lawlessness had done more to disturb and break the law than any other men. The present Chief Secretary must know perfectly well that many of the planters were men who had no interest in the locality, and did not take the farms in a *bonâ fide* way at all. They came as

the representatives of the landlords, for the purpose of carrying out the landlords' policy, and he asserted that these men, in many cases, by their lawlessness, drunkenness, and insults to the people who were rightful occupiers of the farms, and their wives and children, were the cause of the peace being broken. There was a case on the Coolgreany estate, County Wexford, where one of the unfortunate tenants was shot at in open daylight by one of these men, without any provocation whatever, and the whole country side was turned into a state of disturbance. Yet, these were the men who had been described by the late Chief Secretary as upholders of law and order in Ireland. The late Chief Secretary had said that the people had been evicted because of their own fault. But if the right hon. Gentleman had listened more carefully to the speech of the hon. Member for the Harbour Division, he would have understood that the great majority—he himself believed nine-tenths—of the evicted tenants were evicted, not for any fault of their own, but simply because Parliament did not legislate in time for their protection. He must say that with regard to the evicted tenants, whose farms had been taken, he did not know what was to be done. There would be many cases where by the Bill one evicted tenant would be restored to his holding, while another just across the road would have no hope of redress, not because he was worse than his neighbour, but because his farm had been taken. That man would not be satisfied, and he hoped that in Committee Amendments would be accepted to deal with "grabbed" farms. If the Government, however, should not support such Amendments, it would be no reason why this Bill should not be accepted, because they had the precedent of the Land Act of 1881 to prove that very often these things had to be done by successive Acts of Parliament. He and his hon. Friend who did not follow the lead of the hon. Member for Longford had been denounced for opposing this Bill; it was said that they had thrown cold water on it, and had discouraged the efforts of the Government. However that might be, they had the satisfaction now of seeing £250,000 in the Bill instead of £100,000. That

was a great step in the right direction, because it was money that was wanted to settle this question, but it was very unfair that it should be Irish money. By delaying legislation Parliament had incurred the responsibility for the eviction of these tenants. If the Bill which was passed in 1887 had been passed in 1886 he did not believe there would have been a quarter of the evicted tenants which there were now. The Irish Church Surplus Fund, after all, was a purely Irish fund; and although he admitted that this was a good way to use it, he did not see any reason for going into ecstasies of gratitude about the remedying of an Irish grievance with Irish money. The Irish people had a right to expect that this Bill would have been introduced long ago, and he now gave it his support.

MR. CHANNING (Northampton, E.) said, he strongly approved of the principle of the Bill, and was glad that the right hon. Gentleman the Chief Secretary for Ireland had seen his way to increase the amount of the fund available for carrying out the objects of the measure. He agreed with what had been said by the last speaker in one respect certainly—that the Imperial Parliament had responsibilities towards Ireland in this matter. The whole difficulty had arisen because Parliament had neglected Irish land legislation and had not endeavoured to arrive at a full, complete, and accurate solution of the problem before it, a settlement of the exact relations between landlords and tenants and the method to be adopted of dealing with the evicted tenants in Ireland. The Irish tenants were under a sense of oppression at being rented for their own improvements, and there had been a long period of over-renting in Ireland. The fault of the land legislation for Ireland, from beginning to end, had been that Parliament had not hitherto sufficiently recognised the instinct of the Irish people which had animated the entire agitation in favour of perpetuity of tenure and of the view that the tillers of the soil should be allowed to remain upon it as their predecessors had done. It was the failure of Parliament to recognise

*Mr. W. Redmond*



that instinct that was at the bottom of the Irish land war and of the consequent detestable outrages and crime that had prevailed in that unhappy country for so long. Those terrible consequences lay far more at the door of Parliament than in the proceedings of Irish agitators who had been accused of bringing about those crimes. The responsibility of Parliament had been greatly increased during the last few years in consequence of the refusal of the late Government to institute Courts of Arbitration and Conciliation which might have brought about a peaceful solution of the Irish land difficulty. Even in the present Session we had had a further illustration of the necessity of dealing with these questions between landlord and tenant. The subject had been considered by a strong Committee, and it could not be said that the evidence brought before that Committee had established the landlords' case. The rights of the Irish tenants had never been sufficiently or adequately protected, and he maintained, therefore, that this measure was not the outcome of political expediency, but was an honest attempt to settle the question relating to the evicted tenants of Ireland. It was the frank recognition of an imperial duty to do justice in the matter. The question had been discussed from a very narrow point of view, as if the Plan of Campaign was the sole ground on which it rested. They had been told that this movement was not in reality agrarian, but was a mere struggle of lawlessness initiated for the purpose of defeating the reasonable control by this country of the affairs of Ireland. In every struggle for agrarian rights, in all attempts to right wrongs such as those suffered by the Irish peasantry, in every endeavour to settle such questions between landlord and tenant there must be a certain amount of lawlessness. That was inseparable from such a struggle. For the purpose of this attempt by the Irish people to right these wrongs and to bring about a better state of things a less demoralising machinery. It had been urged that the Bill was intended to reward the dishonest tenants who had joined the illegal combination known as the Plan of Campaign. He was not concerned to apologise for that Plan. He admitted that the Plan of Campaign might be against the strict

letter of the law, but he maintained that it had kept Ireland free from outrage and had lessened the bitterness of the agrarian struggle in that country. From what he had read of the circumstances of the various struggles which had occurred in Ireland, it was literally true that no serious crime or outrage could be fairly or justly attributed to the operation of the Plan of Campaign in Ireland. He would ask the House to consider for a moment whether the more serious charges had been proved by the actual facts and figures of the case, and whether the spirit manifested by the Irish tenants was to be attributed to unfair demands on their part. It had been proved in every case where those demands had been made and substantiated on Irish estates for a reduction of rents, they were, in comparison with neighbouring estates, found to be just and fair. In one typical case connected with the Plan of Campaign, it was found by the Court that tenants who had demanded that their rents should be fixed at £4 instead of £5 should only pay £3 17s. 6d. That was an illustration of the justness and fairness of the Plan of Campaign. It had been proved over and over again that the demands of the tenants for a reduction in the amount of their rents were fully justified. Out of 101 cases in which estates had been subjected to the operation of the Plan of Campaign, satisfactory settlements had been arrived at between landlords and tenants in 84 instances, while in the remaining 17 cases a settlement might have been arrived at by the landlords agreeing to a 30 per cent. reduction, according to an article attributed to Mr. Davitt in one of the magazines. He would ask his hon. Friend's attention to those facts in reference to the wild and reckless arguments brought forward against the Plan of Campaign, and which had been urged against the Land League as having forced the tenantry of Ireland into a miserable and destitute situation in order that it might succeed in its political objects. Would any fair-minded man say when in all but 17 out of 101 cases settlements recognised as fair and reasonable had been arrived at, whether it was just and reasonable to denounce the Plan of Campaign as a mere lawless political plot and conspiracy, and not to

recognise it as a natural outcome of the agrarian position in Ireland and as an endeavour to settle the question by fair means? Reductions had been made to the extent of 15, 16, and 17 per cent. in addition to the originally-fixed judicial rents, which might be taken at 19 or 20 per cent. That would afford a fair measure of the reasonableness of the claims of the tenants; that, on the average, reductions had been made to the extent of at least 30 per cent. This was an Imperial question in more senses than one. The conduct of the Irish landlords in not listening to the wise advice given them, and the failure of Irish land legislation had cost the English Exchequer an enormous sum; the cost of the evictions on the 17 estates he had mentioned had amounted to £115,000; and it was estimated that the expense of the extra police necessary in Ireland had been no less than £120,000 a year. That was not an unreasonable estimate as the cost since 1887 of this policy of refusing to satisfy by fair means the traditional demands of the Irish people and the right which they had claimed at all times to the land which their ancestors had held. That policy had cost an enormous loss to the British taxpayer. He earnestly urged that the question should be considered, not as a violently-contested controversial topic, but as a recognition of the failure of Parliament to satisfy the legitimate and traditional claims of the Irish people; and he was prepared as an English Member to support the Chief Secretary in making the Bill as effective and as sweeping as was necessary in order to achieve its purpose. It would be a wise step now to adopt a conciliatory policy in dealing with the Irish people, a policy which would promote the prosperity and peace of Ireland, and he would, in conclusion, urge his right hon. Friend to strengthen the Bill and to afford protection in every sense of the word to the new tenants who might be displaced.

\*Mr. BUCKNILL (Surrey, Epsom) hoped there would be no confusion of mind on this subject, and submitted that the duty of the House was not, as the last speaker suggested, to make provision for a certain class, the evicted tenants alone, but to see if it was possible "by a just procedure to get rid of a source of

administrative confusion and social trouble in Ireland." Three classes were affected by the Bill—the evicted tenants, the new tenants, and the landlords. He appealed to the Chief Secretary and every Member in the House to confirm that statement. It was not their duty to favour one class against another, and any legislation which attempted to deal with one in preference to the others was wrong and unjust. In a letter written by the Chief Secretary of Ireland to an hon. Member in 1892 he spoke of the Commission he was about to set on foot as being "an agent of healing and of peace"—meaning no doubt between the evicted tenants and the landlords, not between the Government and the evicted tenants, or between the Government and the party politicians in Ireland, who had to some extent been responsible for the evictions which had taken place. By the Act of 1891 something was attempted to be done, but not what the Government was now trying to do or anything like it. He contended that there was no analogy between the 13th section of the Act of 1891, which was purely permissive, and the present procedure, which was compulsory, and by which a new machinery was to be created which he could not condemn in terms too strong. He did not think that a proper foundation could be obtained by such means. The evicted tenant must first petition the arbitrators to be put back into his holding; the petition would then be sent on to the landlord in the form called by lawyers a *rule nisi*—i.e., with an intimation that if the landlord could not answer the *prima facie* case made out by the tenant he must accept him, and put him back again upon his holding even after an absence of 15 long years; that was not like Section 13 of the Act of 1891, in which there was no similitude to such a proceeding. What could the arbitrators do if within the prescribed time the landlord made out no case in answer to the tenant's claim? They would have no choice in the matter, but would be bound to reinstate the tenant, and the landlord would have nothing further to say in the matter. He could not say, "You, the arbitrator, have said I have not made good my answer to this petition, therefore I will sell," for he had then no choice. He must

*Mr. Channing*

either, within the prescribed time, say he would sell or make answer to the petition. Under the Bill A, the evicted tenant, made his petition, and was supposed to present a *prima facie* case. The arbitrator sent it on to B, the landlord, who attempted to answer it. The arbitrator said, "You have not made an answer, and I therefore have to reinstate the tenant." So far as the landlord was concerned he had no choice, and could not say, "I will sell the land." Let the House consider the hard case of the man evicted by "due process of law" in 1879 after the month of May. The landlord of that day who evicted the tenant was dead, and his property had passed to his successor, who might be a purchaser or an heir. Would anyone say that it was fair that such a tenant should be entitled and able now, on good cause as between himself and his landlord in the first instance, to say he was entitled to come back and turn out the present landlord? Certainly not. This case, it seemed to him (Mr. Bucknill), ought to be provided for, but it was not. The arbitrator could not say to the tenant who had shown good cause, "This is a hard case—it must not be." He was bound to reinstate the tenant in his holding. He would call attention to another hard case. A landlord might say, "I don't want to sell; I don't think I have power to sell; I am trustee for other persons, though the legal ownership vests in me." Because the landlord could not sell were the evicted tenants to be put in possession? Under such circumstances would anyone willingly reinstate even a friend or a relation? Why, then, should a landlord be bound to reinstate under the Bill? The answer was that which was put forward by the hon. and learned Member for York yesterday: "If you do not do this you will have social disorder and danger, and the Government know they have got to deal with you."

MR. J. MORLEY: So will you have to deal with it.

\*MR. BUCKNILL: But did the Government deal equitably and justly with all classes? If not they were in the wrong. They had no right to conciliate one class of the community at the expense of another. They had no right to conciliate the evicted tenant at the ex-

pense of the new tenant, and they had no right to conciliate the evicted tenant if they were unjust to the landlord. In the present case the Government were proposing to do a vast amount of injustice. The Bill was not an attempt to do justice, but an attempt to do the impossible. They had heard to-day from the hon. Member for the Harbour Division of Dublin that the Government were aiming at the impossible. This hon. Member, though he had spoken in terms of strong commendation of the Bill, had said on the First Reading that

"it would disturb Irish society, and particularly in those places to which the right hon. Gentleman had referred. He made bold to say that the proposal developed to the House was one that must inevitably lead to disorder and contention and strife, and to an agitation worse than anything which had yet been seen in Ireland."

The hon. Member for East Mayo had said—

"I believe in my heart it is beyond the power of this House ever to settle the Irish Land Question finally."

The hon. Member said the Bill would not settle the case of the tenants who were to be evicted in the following year, or of those who were under notice of eviction. It would not settle cases in the future, but it would be a bad precedent. Those who thought they had forced the hand of the Government now would not be slow to use this machinery in the future. They would say, "We made you do it in 1894, and we will make you do it in 1898." He had no interest in Ireland. He was not an Irish landlord nor an Irish tenant; but he had the common interest that every man in the House ought to have, and that every honest Englishman had, and that was to see that they did not pass legislation that was not productive of good, but which might be productive of evil. That was the common interest of every man in the House. He had not said a word about the Plan of Campaign. He wished to treat the question as if there had been no Plan of Campaign, and to put on one side whatever might have led to evictions. But he could not help putting this question to himself: "Having this great difficulty to deal with, are you dealing with it in such a way as will be equally just and fair to the man whom you have in the first instance a



desire to assist—namely, the evicted tenant, and the man who is now lawfully in possession, and against whom no one has a right to say a word, and who should only be turned out under ‘due process of law,’ and which is just and fair to the landlord?” He could not answer that question in the affirmative. He did not believe that the Bill would tend to a peaceful settlement of the difficulty. Therefore, he should vote against the Second Reading of the Bill.

Mr. RENTOUL (Down, E.) said, the Chief Secretary for Ireland in his speech introducing the Bill referred to certain gentlemen whom he denominated as “irreconcilables.” Personally he did not think he could be said to come under that description, because, if this Bill were possible of being carried out, he should consider that it would be a good and wise Bill to have brought in and he would not oppose it. The hon. Member for Cork had referred to the evicted tenants under the Plan of Campaign as the “wounded soldiers of the battle.” That, he thought, was a poetic and correct description. Undoubtedly they had been wounded in endeavouring to carry on the battle. But what had to be considered was this: that it was a foolish battle, and the generals who conducted it were careless in regard to their men. The Chief Secretary claimed that he was trying to heal their wounds and to pour balm into them, and undoubtedly if his plan for doing that were a feasible one it would be a very ungracious thing to oppose his action. But again he must point out that these men engaged in a warfare which they were not justified in undertaking. He objected to the Bill because it was not a reinstating but an evicting Bill, which was not in itself a bad Bill, but which was proposing to do an impossible thing, because if it were put into force a great many families would be put out in the cold. Fifteen hundred men had been put into as many evicted farms, and those farms which were still untaken might be assumed to be the farms of the most dangerous of the men who had been evicted, while the 1,500 which had been taken were the farms of the best of the evicted tenants. At the very threshold, therefore, they had to face the objection that this proposal would be putting a premium on the lawlessness of the worst

portion of the evicted tenants, and would be relieving them at the expense of tenants who most merited the sympathy of the House. It was very possible that those tenants who obeyed the mandate of hon. Members below the Gangway had thrown themselves out into the cold, and that their real friends were those who advised them and wanted them to fulfil their obligations. The tenants to be reinstated must have been evicted either because they could not pay or because they could pay and would not. If a tenant could not pay then, was he likely to be able to do so now? Would not a landlord be in a better position if he took those who could have paid and would not, rather than those who could not have paid? If all the farms were vacant and if they were to be re-occupied by those who could have paid and did not, he should have had much less objection to the Bill. The hon. Member for South Tyrone made an investigation on the Oxford estates in Donegal and found that the least arrears that were owing by any evicted tenant were four and a-half years’ rent. Consequently, that statement made by the hon. Member for Armagh was no exaggeration. The Chief Secretary knew a good deal about Ireland, and he should know that in every part of Ireland a man taking a farm from which another man had been removed was called a grabber. That was to say, if the previous tenant had gone out against his will, his successor was called a grabber, no matter what the circumstances were; and the natural dislike of the Irish tenants to grabbers had been stimulated by the speeches which they had heard from the Nationalist leaders. That being so, was it possible that 1,500 new tenants could be removed to make room for old tenants without exposing the latter to the natural dislike of grabbers, and bringing about a terrible state of affairs? The Chief Secretary said there would be a terrible state of things if the Bill did not pass. If he believed that the passing of it would not produce great difficulties he would not oppose it. The Bill need not be regarded in any sense as a Party measure, because it was simply an attempt to get a number of unfortunate men out of the difficulties in which they

*Mr. Bucknill*



had involved themselves. The Chief Secretary was endeavouring to do by law what the hon. Member for South Hunts did without the assistance of the law. If the 1,500 new tenants could be removed without injustice, he did not think that any Unionist Member would offer anything but his support and encouragement to the Bill. But the Unionist Members took an absolutely opposite view; they believed that the Bill, by displacing the new tenants, would bring about a large amount of crime. Were it not for their sympathy with those who had taken the so-called grabbed farms they would be inclined to allow the Chief Secretary to have his way and to let the Bill go through in order to prove the disaster which must ensue. But for this apprehension he would say that the Chief Secretary was trying to do an impossible thing about as well as it could be done. Admitting that the attempt of the Chief Secretary might be possible, he did not say that any case had been made out against the clauses of the Bill, and he thought the hon. Member for North Armagh was well advised when he spoke on the general principles of the case. Objection might be taken to the discretion with which the arbitrators were to be invested, or the source from which the money was to be taken; and his opposition to the Bill narrowed itself down to the single point that 1,500 tenants would have to go out, and that this was an eviction Bill as well as a reinstatement Bill. No doubt when the Unionist Party returned to power they would be glad to have this question out of the way, and if this Bill would get it out of the way they would be blind to oppose it. But if the Chief Secretary got the farms now vacant refilled, he would leave to his successors the legacy of dealing with the 1,500 new tenants, for the right hon. Gentleman did not expect to be in Office when this difficulty would have to be dealt with. The Unionists would be left face to face with greater difficulties than ever, and the right hon. Gentleman would say, "See what the Unionists are doing." There did not seem to be any prospect of getting rid of the new tenants without bloodshed. If the Bill had dealt exclusively with the vacant farms, there would have been very little opposition,

and not any united opposition, on that side of the House. Many of them who viewed the sufferings of these tenants with the greatest sorrow felt compelled to oppose this Bill, believing that it would be fruitful in crime and disaster.

\*MR. BYLES (York, W.R., Shipley) said, the one objection urged by hon. Members in opposition to the Bill was in reference to planters on the grabbed farms. He could not but feel that there was some exaggeration in the statement that there were 1,500 planted farm tenants. But even if there were, many of them were not *bonà fide* tenants, but were simply creatures of the landlords—caretakers, who jobbed about the farm until the present difficulty should be settled. Even if there were 1,500 of these men, he did not think that that was a sufficient reason why they should not endeavour to arrange the large balance of disputes between other tenants and their landlords. A good deal had been said about the injustice of forcing upon landlords tenants whom they were unwilling to receive. But the principle of the Bill was exactly the same as that contained in the Parish Councils Bill, enabling the new bodies to hire land compulsorily, and it was the same as that under which railway companies were empowered to acquire land compulsorily. But that was not the whole case. It had been pointed out over and over again that these farms were really possessed by two owners. Parliament had realised by past legislation that the tenant was partner with the landlord, and, therefore, all they now proposed to do was to restore the partner. For his part, he would say that if either of the two partners in this dual ownership had power to evict the other, it should certainly be the tenant who should have the power to evict the landowner. In 99 cases out of 100 in Ireland the landlord did absolutely nothing except draw the rent. That was his sole function in life. He was a perfectly useless being. He (Mr. Byles) would probably be misunderstood if he said that the sooner the landlords were got rid of the better. What he meant was that if the landlords were away from Ireland altogether it would be for the benefit of Ireland. He did not wish his remarks to be misconstrued. He was quite sure many landlords recognised



their duties as landlords just as English landlords did, and were benefactors to the people who lived upon their land. But, upon the whole, to sweep out of Ireland those useless persons who simply drew the rent would be for the benefit of the country. The Irish tenants had created their farms out of land which was not worth a peppercorn. [*Cries of "Oh!"*] He knew what he was talking about. But for the industry of the poor peasant tenants much of the land in the South and West of Ireland would have been absolutely worthless. For generations the property of these poor people had been confiscated by the landlord class in Ireland. That was the basis and the root of the whole agrarian question, and it was at the bottom of the demand for Home Rule. If it had not been for that kind of robbery they would never have been where they were. Hon. Gentlemen opposite had described the Plan of Campaign tenants as a lawless class, and hon. Gentlemen on his own side had spoken of the combination in an apologetic tone. He made no apology whatever on behalf of the Plan of Campaign or of those tenants. These men were models amongst the tenantry of Ireland, because they had the courage and manhood to resist the enslaving influences to which the tenantry of Ireland had so long been subject. They had the manhood to say that they would not mulct their daughters who had been driven to America of their hard-earned wages in order to pay impossible rents. To say that they were men who could afford to pay and would not pay was to overlook the whole facts of the case. He hoped that their example would be followed, and that in the future the Irish tenantry would show the spirit of combination even more strongly than they had done in the past. The Irish agrarian controversy appeared to him to be on exactly the same principle as the great Coal Strike of last year or any of the great labour strikes. The miners refused to go down into the pits at a wage which they did not consider to be a living wage. They underwent great privations and sufferings in order to establish an understanding between themselves and their employers, and he rejoiced to know that that very day it was announced to the public that they had,

for the next two years, at any rate, accomplished their object, and had got for themselves a living wage. The Irish tenant was in the same position. He joined the Plan of Campaign, and deliberately allowed himself to be put out. He thought that the Irish tenant was to be commended and praised for attempting to obtain justice for his class. A Liberal Government and a Liberal Chief Secretary (Mr. J. Morley), than whom no man in the House had a more scrupulous sense of justice, came forward and said that these men who had been years and years in dispute with their landlords were entitled to the consideration of the House, and the constituencies who returned the Government to power two years ago told the House—he could speak for his own constituency, at any rate—that one of the first duties it ought to discharge was to put back into their farms the men who had been evicted by their co-partners. The House would only be discharging in the most direct and plain way the mandate it had received from the constituencies by endeavouring in the wise and moderate manner proposed to carry out an arrangement in the form of an Act of Parliament. He believed that this measure would do a great deal towards healing what everybody knew was a running sore and a constant danger to the peace of Ireland and to the loyalty of the Irish people towards the Empire. He firmly believed that if the Bill were passed it would make many an Irish peasant who was now resentful towards England friendly and kindly, and would promote those relations which he was sure every Member of the House desired to see promoted. If, however, this boon were refused to the Irish people, he for one said they were justified in taking the law into their own hands by forming a fresh combination such as the Plan of Campaign. This organisation was only started because legal remedies and legal justice were refused to them. In his opinion all combinations of this kind, whether they were the result of labour disputes in England or agrarian disputes in Ireland, were not the lawless and vicious acts of vicious men, but were crude attempts to obtain justice. They were attempts to get by rough-and-ready means the justice which was denied to men or which was too long in coming through

*Mr. Byles*



legal channels. It was because he believed this, and because he believed that those evicted tenants, very many of whom he knew personally, were the very salt of Ireland, that he earnestly desired that they should be put back upon the land which was theirs 10,000 times more than it was their landlords', and that they should be able to earn their livelihood and to continue to bring up a peaceful and a pious population.

MR. WYNDHAM (Dover) said, he doubted whether the doctrines which the hon. Member had enunciated in his speech would commend themselves to many Members of the House. He did not propose to dwell at length upon the comparison the hon. Member had drawn between the strikes which convulsed the whole commerce of the country last year, and the agricultural combinations which took place in Ireland, because although there might be points of likeness between these two forms of combination, he could find no points of likeness between the attitude of the Government towards strikes in England, and the attitude of the Government as embodied in this Bill towards evicted tenants in Ireland. He was not aware that the Government had ever entertained a proposal for forcing the employers of industry in England to take back men who, owing to the unfortunate disputes that had taken place had lost the means of earning their livelihood. He did not put this forward as an argument against the Bill, because he recognised that the position in Ireland was altogether distinct from any position of a like kind in England. He would not criticise the disquisition made by the hon. Member upon dual ownership in Ireland. The hon. Member had said many things with which he differed, but his observations had appeared to tend towards the view that some large scheme of purchase must be the goal towards which all parties in the House should aim. If that were the hon. Gentleman's view, he (Mr. Wyndham) shared it. Gladly would he welcome the day upon which the two great historical Parties in the House could forget immediate Party advantage, forget the recriminations which had sprung out of the unhappy history of the connection between England and Ireland, and join together

in placing on the Statute Book some large measure which would, once for all, settle agrarian difficulties in Ireland. He believed that day was far distant, and it was because he thought this Bill would not advance them one step towards that day that he should be prepared to vote against the second reading. The hon. Member (Mr. Byles) had expressed doubt as to whether it were true that 1,533 farms were occupied in Ireland by what were called "planters." Those were the figures, however, adduced from the Report of the Mathew Commission, and they were the figures presented only last year by the hon. Member for North Leitrim (Mr. P. A. M'Hugh.) He it was who told the House that the dispute might be narrowed down to 1,533 farms—namely, those who had been let to new tenants. When such a division of opinion existed upon the vital points at issue, as had been exemplified by the course of the Debate, what hope was there for the success of a measure which evaded any practical attempt to deal with these farms at all? His own judgment upon the Debate, as far as it had proceeded, led him to think that the balance of argument had been on the side of those who opposed the Bill. He felt like the man who came in rather late in the day for a game of ninepins—very few of the arguments of the other side were still left standing. But he would deal with one of the arguments of the hon. and learned Gentleman the Member for Haddingtonshire which had escaped the searching criticisms of those who had followed that hon. and learned Gentleman in Debate on the Opposition side of the House. The hon. Members had been criticising an argument put forward in the vigorous speech of the hon. and learned Gentleman the Member for Dublin University, who had pointed out—and the matter was one well worthy of attention—that the evicted tenants had foregone, and deliberately foregone, many special privileges conferred on them by the law. The hon. Member had pointed to the fact that the Irish tenants could be divided into three categories, and as to two of those categories he had said the tenants in question had not foregone deliberately those advantages because they had not been conferred on them. He had said—



"The tenants evicted before 1881 had not the advantages of that Act conferred on them, and the leaseholders evicted before 1887 had not the advantages of the Land Act of 1887 bestowed on them."

It seemed to him there was an obvious reply to that argument, and it was this—that in the 13th clause of the Land Act of 1891 both these classes were admitted to the privileges of the measure. Both these classes, had they pleased, might have come to a voluntary arrangement to purchase from their landlords, and, therefore, if they had not made any efforts to purchase voluntarily it might be truly said of them, as his hon. Friend had said, that they had foregone privileges conferred on them by the law. Then his hon. Friend took the third class of tenants—those who were evicted subsequent to all the agrarian legislation—and said they could not claim compensation, as they would by that resign all moral title to their holdings, and make submission to the law of this country. Well, if this moral title which they cherished was to lead Irish tenants to forego making use of the Acts passed in this House, what, in Heaven's name, was the use of wasting the time of the House of Commons in passing yet another Act in 1894? What reason had hon. Members to suppose that the Irish tenants, if they failed to take advantage of the Act, would not meet them with the plea that they had a moral title to the soil of Ireland, and that the Imperial Parliament must come to their assistance with time and money. It seemed to him that they had little inducement to believe that there was any measure of finality and hope of settlement in the Bill of the Government. The hon. and learned Gentleman the Member for Haddingtonshire endeavoured to defend the second sub-section of the first clause of the Bill from the adverse criticism passed on it last night by the hon. and learned Gentleman the Member for Dublin University. They had pitied the hon. and learned Member—as they must always commiserate a strong man struggling with adversity—when they had seen him endeavouring to describe what a *prima facie* case would be. He had said that the draftsman had in his mind the 38th and 39th paragraphs of the Report of the Mathew Commission,

*Mr. Wyndham*

and he had said that if they would bear that in mind they would see that the arbitrator would have the widest discretion; and if they would read a little further on in the Bill they would see that those powers were unlimited. That was true. The last sentence of the third sub-section was to the effect that the arbitrator, after consideration of the question whether the conduct of either landlord or tenant had been unreasonable, might make such order in the matter as he might think consistent with justice. That sounded like a page out of the Arabian Nights Entertainments—like the decrees Haroun Alraschid was said to pronounce on the people brought before him. It would be in the power of these gentlemen to turn the landlord into the tenant and the tenant into the landlord. The hon. Member for Haddington had dealt with various other legal points which he (Mr. Wyndham) thought he might leave to other gentlemen more competent to deal with them. He should like only to deal with one. His hon. and learned Friend had said that the definition of "holding" in the Act of 1881 was so wide as to allow every evicted tenant in Ireland—even if evicted from town holdings or from other kinds of property excluded by another section from the Act of 1881—to obtain reinstatement. But his hon. and learned Friend had said that the intention of the draftsman in all this was perfectly plain; but if this was so, then it would appear that the draftsman had not divulged his intention to the Chief Secretary, who was unable to answer the questions put to him by the hon. and learned Member for the University of Dublin last night as to whether these holdings were or were not excluded. The hon. and learned Gentleman the Member for Haddington had said something which touched a vital point in the whole discussion. He had dealt at some length with the question of the "planters," to which nearly every subsequent speaker had referred, and he said not only that the Bill contained no power for forcing the tenants to leave their holdings—and here the hon. and learned Gentleman showed himself rather hardy—he said that they would not be asked to go. He (Mr. Wyndham) had taken down the hon. and learned Member's



words. Well, it might be doubted whether the method of solicitation would take the form of a polite request to depart. There had been speakers who had indicated more prompt and rude methods which would be brought to bear on these unfortunate new tenants. It was not only that they would be left to these dangers of social disorder—that was not the chief reason for the complaint that the Bill was inadequate, but because it ignored the *crux* of the problem. They had been taunted last night with a root-and-branch rejection of any scheme for dealing with these difficulties—

MR. J. MORLEY: Hear, hear.

MR. WYNDHAM said, the Chief Secretary applauded that, but if he had listened to the Debate he would have seen that the Opposition were prepared to welcome any attempt at dealing with the question which promised success. The right hon. Gentleman was not present when the hon. Member for Down addressed the House, or he would have heard him express regret that the Bill held out no promise of success, and promise that any that did would meet with his enthusiastic support. The right hon. Gentleman had blamed the unfortunate neglect of opportunity by the Opposition, but there was something worse than neglect of opportunities, and that was the abuse of them. The one might involve delay, and that delay might involve danger; but the other, in holding out hopes that were never realised, added another to the list of evils of the past to which reference had been made by the hon. Member for Clare. The experience of the past had taught them that these questions were only settled by successive Acts of Parliament. The hon. Member for Clare considered that the Bill was a step in the right direction, because it would increase the sum to be advanced from £100,000 to £250,000. This method of legislation might commend itself to hon. Gentlemen from Ireland. They might be pleased at the time of one Session after another being taken up with this attempt to cure the angry sores of the country, and that, at first, £100,000 and then £250,000 should be devoted to these attempts. The Opposition regretted every failure, and held that every fresh failure would render the chance of per-

manent success more problematical than before. Still, in dealing with the new tenants the Chief Secretary said that the danger might be great in leaving these men practically out of account, but that the danger would be far greater if they did not deal with the whole body of tenants in Ireland. It appeared to him that it was more dangerous to let through the majority of the tenants and then to slam the door in the faces of their fellows; and this was what the right hon. Gentleman did in this Bill. The right hon. Gentleman excluded from the provisions of the Bill the very class who were in the minds, he was sure, of every Irish Member when speaking on this question in Ireland. The part of the eloquent speech of the hon. and learned Member for York, which received the most prolonged and animated cheering from hon. Members opposite, was that in which he defended the ringleaders, as they were called, of the Plan of Campaign—the men who could have paid their rent but did not. These were his words:—

“Did the hon. and gallant or the hon. and learned Member think that the tenants of Ireland as a body would consent to a reinstatement one of the terms of which was to leave outside the pale the men who had stood beside them in the hour of their need?”

Were not some of the men on the farms that had been re-let as worthy of those epithets as the men to whom the Member for York had referred? He did not discuss the merits of every action or motive of either class of men, but he maintained that if the ordinary ringleaders on every estate in which the Plan of Campaign had been started could be so spoken of the men whose farms had been re-let were entitled to the same praise. The hon. Member had told them that they did not understand Irishmen if they believed they would rest content as long as those men were excluded from the provisions of the Bill. The Opposition understood Irishmen well enough to know that so long as they excluded these 1,553 men their measure of conciliation was nothing but a pretence. Practically, the whole of the Luggacurran estate had been re-let to new tenants; one of the old tenants was a wealthy Member of that House; and the hon. Member for South Kerry (Mr. Kilbride) was a typical instance, to which the hon. and learned Member for

York referred the previous evening. As far as he could see, however, the hon. Member for South Kerry was excluded from the provisions of the Bill. He had referred to these points in order to show how it was that, in his opinion, the Bill was doomed to become an absolute failure. This was by no means the first attempt which had been made to deal with this subject of the evicted tenants. This was the fifth attempt made in four years. The first was that of the hon. Member for Kerry in 1891, which was followed by that of the hon. Member for South Tyrone in the same year, and the proposal of the hon. Member for Roscommon in 1892, and that of the Member for North Meath in 1893. A great portion of the time of Parliament had been taken up with this question and strewn with the wrecks of their efforts. If that were so he thought they might abate a little the sanguine expressions of hope which made up so much of the speeches delivered from the Benches opposite. The Chief Secretary himself was not nearly so sanguine as his followers, because in his speeches he spoke of it with earnestness as an exceedingly difficult question. The Chief Secretary appreciated the difficulties of the question, but a good many of his followers failed to do so. Many of them seemed to think that this was a question as between landlord and tenant upon a certain limited number of estates. He had read a letter by the hon. Member for the Skipton Division which showed such a misconception of the scope and character of the Bill that, if it be widely shared and was not dispelled by their discussions, any decisions which they arrived at would be deprived of all value. In that letter the hon. Member said—

"If we have to choose between a departure from ordinary political morality, between some derogation from the full rights of the owners on the one hand, and the peace of Ireland on the other, the less must yield to the greater, even if it is the Irish landlord class, for the supreme needs of the British Empire."

He thought everybody would agree in those sentiments, but they were absolutely beside the issue. In nine cases out of ten the Bill would benefit the landlords on those estates—it would put money in their pockets. Some of the criticisms levelled against

the 13th clause of the Act of 1891 were that it would have that effect, and the same criticism, if it was a criticism, might be addressed against the proposal of the Government. They had nothing to fear from this Bill. If they could restrict their view to its effect upon the fortunes of the 4,000 tenants and their landlords on these estates, they might all go into the same Lobby and vote for the tenants getting the land and the landlords getting the money. But they could not so restrict their view. They must think of what its ultimate effect would be upon no less an area than the whole social peace of Ireland. There were two great issues at stake—the peace of Ireland in the first place, and, as the minor issue, a considerable expenditure of public money. For his part, if they could arrive at a satisfactory settlement upon the first, he should not inquire too curiously into the second. If they could be sure that this Bill would confirm the progress now being made towards universal agrarian content in Ireland, he should not mind if it cost, not a quarter of a million, but one million or two millions of money. But it was because he believed that, far from confirming that progress, it would interrupt it, that he was prepared to vote against its Second Reading. The issues before them were more momentous than many of the Chief Secretary's supporters seemed to imagine. They were also very novel and very complex. They knew the Chief Secretary had disclaimed novelty, and had said that every principle in this Bill was familiar to this House, and that the Bill was a mere extension of the 13th clause.

MR. J. MORLEY: I never said that.

MR. WYNDHAM said, it was quite true the Chief Secretary never said it, and he apologised to the right hon. Gentleman for the misstatement. MR. JUSTICE MATHEW said it on the Commission, and for the moment he confused the two things in his mind. The right hon. Gentleman would agree that there had been a good deal of talk as to the policy of reinstatement, and that it had been said that it was familiar to this House, and that it had even obtained the sanction of this House on more than one occasion. The Chief Secretary had lent some colour to this view of the Bill by quoting

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more than once the right hon. Gentleman the Member for West Birmingham, who alleged that he was in favour of the extension of the 13th Clause. He had quoted that passage twice, and had appealed to the right hon. Member for West Birmingham as being in favour of a policy which was not very different from the policy of the 13th Clause.

**MR. J. MORLEY :** I do not believe the right hon. Gentleman the Member for West Birmingham had mentioned the 13th Section.

**MR. WYNDHAM** said, he had not the quotation with him, but he undertook to say that the 13th Section was mentioned in the very quotation used by the Chief Secretary. But there was one salient feature of difference distinguishing this Bill not only from the 13th Clause, but from every one of the four attempts which had been made in recent Sessions to deal with this question. In every one of those attempts purchase was put forward as the primary solution, and reinstatement was only brought in as a threat or sanction behind the other. In this Bill, for the very first time, reinstatement was put forward as the primary solution of this difficulty and not purchase. There might be a possible exception in the case of the Bill, also founded on the Report of the Mathew Commission, brought in last year by the hon. Member for North Leitrim, but lest anyone should suppose that that Bill contained nothing that was not novel, he would remind the House that when an application for the Closure was made, Mr. Speaker declined to put the Question on the ground that the Debate appeared to open up, in his opinion, a question of great difficulty and complication, and that question of great difficulty and complication was nothing less than this: that for the first time in this House they were asked to reinstate, to restore tenants to all rights, whereas on all previous occasions they had only been asked to put them in a position to purchase and not restore them to all their rights. The measure of the hon. Member for North Kerry contemplated priority of purchase on the part of tenants evicted from farms which had subsequently been re-let; the 13th Clause merely contemplated purchase. The Bill introduced by the hon.

Member for Roscommon merely contemplated purchase, but, in the event of the landlord refusing to sell, reinstatement was put in as a dire punishment to be visited upon him for his offences. Still reinstatement was in the background. The policy of the Chief Secretary's Bill was a completely novel departure in this House. The other Bills all recognised the problem of the re-let farms to be the *crux* of the whole difficulty, but the Chief Secretary's Bill evaded and ignored it altogether. This was the other novelty of the Bill, and he thought that, before they came to any decision on it, they must examine it closely in the light of these two novel departures. He took the question of reinstatement as against purchase. He could not for the life of him imagine a single argument which had led the Chief Secretary to prefer reinstatement to purchase. Looked at from the point of view of the land, purchase had always been recognised as preferable. It had always been held that it was a hardship to force a landlord to take back a man who had failed to discharge his obligations towards him. Was it not true that from the point of view of the tenant also that purchase was preferable to reinstatement? The instalments under the Land Act of 1891 were in every case less than the rent he would have to pay, and there were provisions in that Act for assisting him if he fell into arrear not through his own fault.

**MR. BODKIN** said, that under the present Bill purchase was at the option of the landlord. He was perfectly certain the tenants would be quite prepared to take a Bill with purchase as the only solution.

**MR. WYNDHAM** said, he dared say the tenants would be quite prepared to take a Bill with purchase as the only solution, but the Bill they had been asked to consider put forward reinstatement as the primary solution of this difficulty. Reinstatement was the Chief Secretary's solution, and if the landlord felt that reinstatement was too intolerable he was to be at the pains of appealing, of showing cause, of, practically, going to law in order to substitute purchase for reinstatement. If hon. Members from Ireland thought purchase was better

than reinstatement, they agreed with him, but why, in Heaven's name, was it not in the Bill? Why did not they induce the Chief Secretary to make it a purchase instead of a reinstatement Bill? Purchase was looked upon as a final remedy, and if it was a good remedy for estates in a normal condition, it followed that it was the best remedy for estates in connection with which these unhappy events had occurred. Of all the schemes for purchase that had been put forward the only one that had commended itself to the Unionist Party was the scheme of purchase embodied in the 13th Clause of the Land Act of 1891, because that measure was voluntary. It was not the mere traditional repugnance to compulsion which made them prefer the policy of the 13th Clause. It was because compulsory power in this case conferred special privileges upon a certain section of Irish tenants. It was not compulsion against which they rebelled; it was against the result of that compulsion—namely, that while the whole tenantry of Ireland, and especially the tenantry of Ulster, were dying to have a Bill for compulsory purchase, they put a certain amount of compulsory power into the hands of the men whom, rightly or wrongly, they despised as having failed to fulfil their obligations. That was, he thought, a very serious argument in favour of the policy of the 13th Clause, and a very damaging criticism against the policy of this Bill. The Chief Secretary had sometimes said that by granting this compulsory power they did not give special privileges to the evicted tenants. He had said, practically, "We don't give them compulsory purchase; they are only put on a level with the others; that they are reinstated into their holdings and enjoy them as other people enjoy their holdings." He thought it was easy to see that was a special privilege given. There was the case of the tenants whom he might call desirable tenants, from the landlord's point of view—the men who fulfilled their contracts. They had to make their bargain as best they could; but what was the position of the undesirable tenants, and tenants who had rendered themselves intolerable to the landlords. They could present the landlords with the alternative of selling

to them, or of receiving them back as tenants, so that they did not give them by this Bill a lever which they might apply at their pleasure upon the fulcrum of their own unfitness. It was always unwise to lead Irish tenants to think that they could not only resist the law, but neglect the benefits conferred on them by the law. That was the idea which had lurked in all their legislation for Ireland, and, although he might be told this was a criticism which might have been passed on the policy of the 13th Clause, he was sure the Chief Secretary would agree that as much difficulty sprang not only from the hostility to the restrictions imposed by the law as from the apathy of the tenants of Ireland to the benefits conferred by the law. It was in consequence of the repeated Acts which they had passed that they were fostering a belief in the breasts of the Irish tenants that they alone possessed inalienable rights which no breach of the law and which no neglect to take advantage of the benefits of the law could ever affect. Session after Session was wasted, and million after million was voted in order to restore to the Irish tenants special privileges which, for political purposes, they allow to go by default. He admitted that that was an argument which might be turned against their policy as embodied in the 13th Clause; but if there was danger there, is there not greater danger now when the benefits of that Act had also been ignored? If there was danger in putting the tenants who had been evicted upon an equality with the tenants who had fulfilled their obligations, is there not far greater danger in conferring special privileges upon them, and did they not push temerity to its last verge when, whilst making these proposals, they altogether ignored the crux of the whole problem—namely, the farms which had been re-let to new tenants in Ireland? So far as they knew, and they gathered even from the speeches which had been made that evening, this question of the farms that had been re-let to new tenants in Ireland was not only paramount, but was regarded as of exclusive importance by the men whom they wished to conciliate. The Chief Secretary professed to be guided by Irish opinion, yet his Bill did not touch the

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problem as it was understood by his Irish advisers when, in the clause put forward in the Debates on the Land Act of 1891, it was provided that where a farm was held by a new tenant the old tenant should be allowed to offer as much money as the present tenant was willing to give for it. And if any hon. Member would read the speech of the hon. Member for North Leitrim, delivered in favour of his Bill of last year, he would see that from his argument he excluded the whole number of derelict farms and farms cultivated by the landlord. That was to say, he excluded from his argument the only farms with which the present Bill proposed to deal, and he concluded his argument by saying that the number of farms in dispute in Ireland would be reduced from 3,676 to 1,533, which, he added, was not a very large number. That was to say that the only point, according to him, in dispute was one which the Chief Secretary ignored altogether. If he meant to attack this problem, why did not he harden his heart and ask them to buy out these men at the full value of their holdings with 10 per cent. compensation for disturbance? This Bill was open to these two objections, and because these two objections were not addressed to the same point they could not be set off one against the other. The Chief Secretary had not arrived at a compromise between two rival solutions. He had made a combination of two views—a combination which embraced for the scheme of each Party the very element which led to its rejection by the other, and which eschewed the only element which commended it to those views. From such a combination they could not, with any probable regard for the future, have much doubt as to its failing to carry out the Chief Secretary's object. They might doubt how much this Bill would settle; they none of them could know how much it would cost. The Chief Secretary, in his speech on the First Reading, said it was impossible to say with anything like accuracy what was the precise number of cases that would have to be dealt with under this Bill. "This is a matter," he went on to say, "which the arbitrators will have to decide, and if the arbitrators are fully seized of the policy of this Bill, no doubt they will come to a right conclusion in all

the cases before them." The arbitrators would have to find whether a tenant had acted in a reasonable or unreasonable manner, but he asked the House to imagine the feelings of the man whose farm was now vacant, but who was found to have acted unreasonably by this Commission. If they did that they would arrive at some measure of the amount of success which was likely to attend this attempt at conciliation.

MR. W. O'BRIEN (Cork, City): If the tone, the good humour, and, to a large extent, the conciliatory speech we have just listened to had been imitated by the hon. Gentleman's more reactionary colleagues who have borne the burden of this Debate, I, for one, should not have dreamt of interfering even for a few moments in this Debate. The hon. Gentleman admits and deplores the evils which this Bill is framed to remedy, and the remedy which he himself suggests is beyond all doubt a remedy which is provided for in this very Bill, for in this Bill it is placed absolutely and unequivocally in the power of the landlord to choose whether a settlement under this Bill will be a settlement by reinstatement or by purchase. I do not intend to allow myself to be drawn by the taunts of the gentlemen who, I am sorry to say, represent the true spirit of opposition to this Bill. At the right moment I should say that we will possibly be able to take care of ourselves if there should be any occasion to do so. I do not think there is the least occasion to do so. It would be only degrading a question in reference to which any man who values permanent peace in Ireland might find something better to argue about than to keep fighting this question. The old and ancient litany of charges against the Plan of Campaign to which we listened last night and to-night has been recited hundreds, nay, thousands of times before the English constituencies year after year, and the result was that at the General Election the Tory Party, who put those charges forward, were compelled to cross the floor of the House of Commons. Again last night and again to-night we have these old charges repeated, and the action of the Tory Party shows that they are deter-

mined not to allow us to close this chapter of ancient Irish history. Certainly, so far as I am concerned, I have not the slightest desire to open it; but I cannot listen to these charges—these stale charges—without saying something to remind the House what are the facts. We have been told that this Bill is a Bill to screen persons who have taken part in an illegal political conspiracy. Well, we did not know, when we entered on this struggle, that it was illegal. I do not say that we cared very much whether it was or not. [*A laugh.*] Oh, certainly not. There is not a Trades Union in England that was not an illegal conspiracy until the Legislature learned sense and declared it legal. But I want to point out that, as a matter of fact, the Plan of Campaign, abuse it as you may, was for more than two years in operation, and that nearly all the evictions took place before the Irish people were made aware that it was an illegal combination, even in the estimation of Tory juries in Ireland. Instead of being illegal, we had it under the authority of the Tory Attorney General of the day that the Government could not interfere with it. A number of us were tried for entering into an illegal conspiracy, and, although most elaborate precautions were taken to pack the jury in Dublin, that jury of our countrymen declined to convict us, or to say that there was anything illegal in the Plan of Campaign. I think, under these circumstances, we were justified in assuming that our action was not illegal, and, glibly as gentlemen may talk about it now as an illegal conspiracy, I venture to submit to the judgment of the House the facts that the Plan of Campaign had been in operation for at least two years, and that all the evictions had taken place before any authoritative decision as to the illegality of the Plan was given. I challenge anyone to deny that ever since there was an authoritative condemnation of the Plan of Campaign that on any single one of those estates the tenants ever declined to accept any reasonable terms of arbitration, or were not from beginning to end ready to submit to anything, lest that they and their children should be driven to the workhouse, because they combined against rack rents, which the Tory Government afterwards admitted were intolerable. We have had

again and again repeated the ignorant outcry that the Plan of Campaign was a mere political dodge, and that it was not justified by the circumstances of agricultural depression in Ireland. The fact is that these tenants did nothing whatsoever that the Tory Chief Secretary, the hon. Baronet the Member for Bristol, did not do with regard to Lord Clanricarde, and which Sir E. Buller did not do in the same year with regard to the landlords of Kerry. That is to say, they put pressure—what the right hon. Baronet the Member for Bristol called “pressure within the law,” and we thought we were well within the law in putting Trades Union pressure on the landlords in order to secure that justice was done to tenants in a year of appalling agricultural depression. This House, when it was a Tory House, declined to apply that pressure in a constitutional way when it was asked to do it by Mr. Parnell in 1886. They rejected his proposal with scoffing in the autumn of 1886, but they had to pass a Bill, which was far more stringent, in the summer of the following year; and what the Plan of Campaign did was simply to bridge over the interval and compel the landlords to do in 1887 what they declined to do in 1886. The opponents of this Bill are in this dilemma—either the Plan of Campaign was a necessary combination, or that the Tory Land Act of 1887 was a political dodge; because there is no getting over the fact that the Tory Land Act of 1887 was practically the legal enactment of the Plan of Campaign, let them abuse it now as much as they please, which they were compelled to pass into law; and if we have an Evicted Tenants Bill it is merely because the Tory Part most unwisely determined year after year for the last six or eight years to keep the country in hot water in order to take vengeance on the men who beat them. That year (1886) was a year of most intolerable distress to the Irish farmers, and we were right, and the Government were wrong, as all the world now knows. Whatever may have been the legal defects of the Plan of Campaign—and we never regarded it as anything but a rough-and-ready remedy—it brought the landlords and the Tory Parliament to reason; it saved the Irish farmers, and it prevented

a terrible outburst of crime as well. We have been charged again and again in this House and on Tory platforms with making political capital out of the Plan of Campaign. Our retort is that the Tory Party, to their own loss and ruin, endeavoured to extract political capital out of the Campaign by attempting to destroy these unfortunate tenants in order to prevent any further combination against the landlords, and to show what terrible fellows the Tory Party were as coercionists. I have frequently stated in this House that the quarrel might have been settled in 48 hours. Nothing would have been easier when the Act of 1887 was passed than to have drawn a wet sponge over the past—for I am certain that up to that time not more than 50, certainly not 80, of these evictions had taken place—and to have ended the whole dispute. I and other Irish Members again and again in this House offered to abandon the Plan of Campaign right away if these tenants were admitted to the benefits of the Act, which they themselves had won. But, no; the Tory Government did not want peace; they wanted vengeance; they wanted, what the hon. Member for South Hunts said, to make examples of the tenantry of Ireland for forcing Lord Salisbury to swallow in 1887 the declaration he made in 1896, that he never would reduce the judicial rents. I am sorry to have to say so; but I think I am bound to say it, that it was only for the purpose of wreaking vengeance upon these few bodies of tenants that the late Government passed their Coercion Act. It was passed for no other purpose than to crush them. That Government engaged in 4,000 prosecutions; they imprisoned about 24 Members of this House; they 'prosecuted almost every Nationalist newspaper in Ireland, and they carried on evictions wholesale in order to break down our combination. I sometimes wonder whether some of the Members of the Tory Party do not ask themselves what their Government gained by all these years of violence. I will tell them. They simply gained seats on the wrong side of the House. They played a petty political game for the purpose of ruining these unfortunate men in order to serve the landlords and to discredit the leaders of the movement

—a few Members of this House—and what has been the result? The evicted tenants have not been ruined, but the Tory Government are. In passing from this subject I will only say further that, no matter what you may say about their crimes or our crimes, these tenants were in substance right in the beginning of this quarrel. They have conducted themselves throughout all this painful time with marvellous patience. They have not allowed themselves to be intimidated by coercion, or to be goaded into crime by cruelty or suffering. I say that the Irish people will never abandon the evicted tenants. And what is more, I venture to say, with my colleagues around me, that if the Irish people were offered Home Rule to-morrow on condition of these men being driven into the workhouse they would repudiate it with scorn. This is certain: that while we are prepared to fight, we are also prepared, now as always, to put an end to the whole of this wretched business on any reasonable terms that will restore the evicted tenants. The Irish people want no crowing over the landlords; they want no injustice done to any man. They simply and honestly want to put an end to this quarrel once for all on reasonable terms. We have sufficient confidence in the justice and honesty of the case of the tenants that we are perfectly ready to allow any fair judicial tribunal to decide upon the equities of each individual case; and if the Chief Secretary has been fortunate enough to find such a tribunal—and it is remarkable that up to this the fairness of the tribunal has not been impugned by the other side—I can assure him that the Irish people will raise no difficulty as to any terms that are proposed which will do equal justice between man and man. As to the ludicrous suggestion that has been thrown out in the course of this Debate that the Irish Party are in some tremendous difficulty about the evicted tenants question, and that the Bill is intended to extricate them from that difficulty, it is a delusion as ridiculous as it is untrue. I do not think that any man who understands the rudiments merely of the Irish question believes it in his heart. This evicted tenants' question, instead of being our weakness, is our strength, and is one

of our principal holds on the loyalty of the Irish people. I need only instance the fact that the town of Tipperary—with regard to which some ridiculous misapprehensions prevail in this House—has contributed this year a larger sum towards the Evicted Tenants' Fund than any other town in Ireland, and sent its contributions not to the so-called champions of New Tipperary in this House, but to the parish priest, the Rev. Canon Cahill, who handed the money over to my hon. Friend, the terribly abused Member for East Mayo. I have been lately at meetings of our so-called dupes upon two of the largest Plan of Campaign estates—the Luggacurran and the Pousonby estates—and I can assure the representatives of the landlords in this House that if they had been present they would have given up the illusion that they are going to damage us in the opinion of our fellow-countrymen by prolonging this wretched struggle over the evicted tenants. We are told by the hon. and gallant Member for Armagh that this Bill will be thrown out in another place. That may be so, for the other House has done as foolish things before. They rejected a certain Compensation for Disturbance Bill one year, and the next year they were able to plume themselves on having been the principal organisers of the Land League, one of the most fearful movements which the landlords of Ireland or of any other country had to contend against. This is almost too solemn a subject to prophesy about, and I recognise the danger of vaticination. But last night the Chief Secretary for Ireland reminded the House that events have invariably proved that when they have uttered warnings in this House the Irish Members have been right and their opponents have been wrong. It was so in 1880 and in 1886. I do not know how it may be in 1895 or 1896, but this I will say: that events will prove that we are right when we tell you here to-night that you might as well expect Englishmen to sell to the enemy men who had won some great battle for the existence of the English people as hope that you will ever in any possible circumstances induce the Irish people to abandon these evicted tenants or to let them drift into

the workhouse for the gratification of the landlords' revenge. We are, perhaps, well able to take care of ourselves when it comes to fighting; but I have no hesitation in saying that we do not want a fight; that we do not want to approach this Bill in a fighting spirit, but its object can be effected by any reasonable give-and-take arrangement which will do justice between man and man. I am afraid there is no use in appealing to hon. Members on the other side not to protract any longer this discussion at this preliminary stage of the Bill; but I will say that I believe the best friends of the landlords, as well as the friends of the tenants, would do wisely and well to hurry on the Committee stage of this Bill, to agree in Committee to such Amendments as may improve it, and then to pass it into law with as little friction as possible.

MR. CHAPLIN (Lincolnshire, Sleaford): The hon. Member for Cork has just told us that it is the object of himself and his friends to put an end to the quarrels between landlords and tenants in Ireland without inflicting injustice on anyone. I can say at once, in reply to the hon. Member, with all the conviction in the world, that that is an object with which, without exception, every single Member in this House will sympathise, no matter in what quarter he may be sitting. But whether the course which the hon. Member has pursued in the past with reference to this question, or whether the Bill now before the House is or is not calculated to effect that object, is, I am afraid, a very different question altogether. With the permission of the House, I will make some observations in reply to the speech of the hon. Member later on, but, if I may be allowed to do so, I will begin by making some general observations upon the measure before us, because I think that the gravity and importance of some of the proposals it contains cannot possibly be exaggerated. Sir, what we are discussing to-night is really nothing more nor less than another new Irish Land Act. It is another chapter in the long series of measures by which, ever since I came into this House, I am afraid 25 years ago, Liberal Governments have been endeavouring, and in my humble opinion, with almost

entire failure, to settle the Irish land question. Moreover, I desire to point out that in some of its provisions this measure goes far beyond any proposals ever submitted to Parliament in the different measures dealing with the land question which have preceded it. The Chief Secretary told us yesterday that the Bill contained no new principles; that it contained no principles that had not been already sanctioned by Parliament, and incorporated in some of the various Acts in reference to land in Ireland. I can refute that statement at once by asking the right hon. Gentleman a single question. Is it or is it not true that under this Bill a man who has been farming his own land for 15 years, and who has spent money in improving it, can be evicted from it, and be deprived of the advantages resulting from the capital which he has expended upon it, and be deprived, moreover, of his business as a farmer, in which he may be engaged with great profit and advantage to himself, without one single penny of compensation? I ask the right hon. Gentleman, is not that a true description of some of the contents of this Bill? The right hon. Gentleman cannot deny it; and unless he can deny it he must know, as well as I know, and everybody else in the House knows, that there are principles of entire novelty in this Bill for which there is absolutely no precedent whatever in any legislation of the past. The hon. and learned Member for Haddington this afternoon made what was undoubtedly an able speech, but as a reply to the speech of my hon. and learned Friend the Member for Dublin University last night, it must be admitted to have been exceedingly feeble. The hon. and learned Member said, "You are guarded against these evils, because there must be a *prima facie* case for the reinstatement of the tenant;" and he went on to point out to us the various attempts at safeguards that are contained in this particular clause of the Bill. But what is a *prima facie* case for reinstatement? We have asked that question over and over again, and, up to the present, we have not had to that question a shadow of an answer from any Member of the Government or from anyone else who has intervened in this Debate. My hon. and

learned Friend the Member for Dublin University put case after case to the Government last night. He described various conditions under which the landlord might be called upon to resign the occupation of his own land. He put half-a-dozen specific cases to the Government, and on each particular case he asked, "Is this a *prima facie* case for reinstatement?" No attempt at an answer has been made. It is no use to ride off, as the hon. and learned Member for Haddingtonshire did this afternoon, by referring to old Acts passed years ago, and telling us that all these things to which we object have been done before at one time or another in measures that are now in existence. That is no answer to us, because we always held, and have demonstrated over and over again, that those Acts were, in many respects, most iniquitous and mischievous, and have, moreover, been almost complete and absolute failures. [*Cries of "No!"*] I should like very much to know the Member who says "no."

MR. T. W. RUSSELL (Tyrone, S.): I say "No."

MR. CHAPLIN: Well, I shall have to say something of the history of those Acts, because I think I can convince the House that I am accurate in saying that they have entirely failed in their purpose. Great measure after great measure dealing with the land question in Ireland have been passed during the time I have been a Member of the House of Commons, and I maintain that nearly all of them have been failures. The hon. and learned Member for Haddington says that if we reject this measure on this occasion the House of Commons will again be guilty of the same colossal blunder that Parliament made in rejecting the Compensation for Disturbances Bill in 1880. Yes, but compensation for disturbance did not begin in 1880. Compensation for disturbance was embodied in the Act of 1870 as it left the House of Commons. Does the hon. and learned Member remember the Bill of 1870 and the fate which overtook it? It had not been in existence for many years when it was found to be so entirely inefficient and had failed so completely in its purpose that its author himself appointed a Commission to inquire into its working; with



the result that that Commission reported in favour of the total repeal of the Act. A few months later, so inefficient was the Act found to be, that it was ignominiously repealed by the same Minister who had carried it in the House amidst the plaudits of his Party as one of the most historic measures of the age. [*Cries of "No!"*] I say the Act of 1870 was repealed, and the Act of 1881 took its place.

**MR. T. W. RUSSELL:** There is a Committee sitting upstairs now actually inquiring into the working of the Act of 1870.

**MR. CHAPLIN:** If the hon. Member makes that statement I cannot contradict him now; but I am perfectly certain that the repeal of the Act was recommended by the Commission appointed to inquire into it, and unless I am assured positively that it was not repealed, I adhere to that opinion. It was followed by the Act of 1881, and in that Act was carried everything that had been previously denounced and rejected by the authors of the measure of 1870. Provisions were actually carried in that Act which had been previously denounced by its authors as calculated more than anything in the world to demoralise whole masses of the people of this country. And demoralised the Irish people were, for I do not believe that even the right hon. Gentleman the Chief Secretary will deny that no people outside of a demoralised country would be found supporting a criminal conspiracy like the Plan of Campaign. Since the failure of the Act of 1881 both Parties in this House have been engaged in trying by various Land Purchase Acts to remove the evils of dual ownership, and it is upon these Acts, great failures as they have been, that the hon. and learned Member relies for the justification of all the propositions to which we object in the Bill that is now before us. The objections to this Bill are so obvious that there must be, in the opinion of the Government, some overwhelming reasons in their favour. What are the reasons with which they have endeavoured to support it? We are told that the Bill is absolutely necessary for the peace and harmony of different classes and their good conduct and order in Ireland. I admit that to be a very serious reason. The

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hon. Member for Cork suggested that the hon. Member for Dover, who spoke recently, had admitted that there were evils in Ireland that this Bill was designed to remedy; and if this Bill were calculated to promote the blessings of peace and harmony in Ireland I should be the first to allow that a grave responsibility would lie upon any Party who would take upon themselves to reject this measure. But will it remedy the evils existing in Ireland? That is a point upon which I venture, with great respect and deference, to differ altogether from Her Majesty's Government. I say that, in the first place, it is our duty to do that which has been studiously ignored by the Government—namely, to examine as carefully as we can the causes of the evictions with which we are asked to deal at the present moment. The classes of persons proposed to be dealt with are not by any means the same. There are, on the one hand, those tenants who have lost their farms, it may be owing to causes for which they were not responsible—it may be, owing to misfortune and real inability to pay their rents; and for all these, and such as these I can say with perfect truth that I have only one feeling, and that is, great compassion and great sympathy; and if it were possible to do anything to relieve them no one would be more ready to do so than myself. Although I should find it hard to justify this exceptional treatment in their case any more than in the case of a great variety of persons suffering from cognate evils in this country, I would, for the sake of peace and order in Ireland, go great lengths to assist them. That, however, is only one side of the picture. I must draw the attention of the House to the other side. There is also the case of those tenants in Ireland who have been evicted because of their wilful and deliberate refusal to meet their legal obligations, though well able to pay their rents, as was openly avowed, at the bidding of their officers, who took upon themselves to dictate to the tenants what was the proper course to pursue at that particular time. These two classes of cases, the House must admit, are totally different, and to attempt to deal with these two classes of cases on the same footing appears to me to be a most unfortunate and disastrous method of

treating the subject. The Government cannot deny that this is offering the people of Ireland the greatest and most powerful inducements to repeat their unlawful acts at the very earliest moment at which they can get a favourable opportunity for doing so in the future. I cannot conceive anything more calculated to lead in the future to greater breaches of the law than to condone all their offences in the past in the way proposed in the Bill. The Member for Cork, in the course of his observations, offered a sort of *quasi*-apology for the Plan of Campaign. He said, "We did not know, at the time we instituted the Plan of Campaign, that it was illegal." I am bound to say that shows, to my mind, a very small acquaintance on the part of the hon. Member with the Ten Commandments, and especially with the eighth. What was the Plan of Campaign? The House must remember that the rents which were objected to by those tenants who obeyed the bidding of the Plan of Campaign were not fixed by the landlords, but by the Courts, and when these rents became due they were just as much the property of the landlords as the watch which is in the pocket of the hon. Member at the present moment is his property. That being so, what were the instructions given to the tenants by the leaders of the Plan of Campaign? They were to offer to pay to the landlords not the rent they had undertaken to pay, and which in many cases they were able to pay, but such rent as they themselves thought was fair. If this rent which they had fixed themselves was refused by the landlord they were to pay it to somebody else. I believe that to be a fair and accurate description of the objects and proceedings of the Plan of Campaign; and yet the hon. Member says that neither he nor his friends were aware that it was in any sense illegal.

MR. W. O'BRIEN: No Court in Ireland pronounced it to be illegal.

MR. CHAPLIN: The Chief Secretary, on the first night he introduced this Bill, said he could not go into the origin of this unfortunate business by asking whether Great Britain was responsible for the last two great agrarian risings in Ireland, or whether the Plan of Cam-

paign was justified by the action of this House in rejecting the proposals put forward by Mr. Parnell in the autumn of 1886. It was quite impossible that the rejection of that Bill could have formed the least justification for the Plan of Campaign.

MR. J. MORLEY: I said I did not think it was much to the point.

MR. CHAPLIN: I think it is much to the point, and for this simple reason, that the Plan of Campaign was started before the Bill of Mr. Parnell was rejected. ["No, no!"] I am quite aware there is a very common impression to the contrary, and it has been sedulously fostered and encouraged by the right hon. Member for Midlothian himself, who once said that if there was any crime and misconduct in connection with the Plan of Campaign the Tory Government and Party were more responsible for it than anyone else. A greater fiction was never invented. [*Laughter.*] I think, before I have completed my observations, the hon. Member from Ireland who seems to be so exceedingly amused will laugh at the other side of his mouth. What are the facts with regard to this question? Mr. Parnell's Bill was rejected on September 21, 1886. I am now going to quote some evidence with regard to the origin of the Plan of Campaign which will be found exceedingly interesting, which is, I think, new to the House; which I believe to be true, and which if not true can be controverted. My information is taken from an Irish paper, the *Cork Constitution*. In an issue of that paper of July 1888 there appears a *verbatim* report of the examination on oath of the hon. Member for Cork in an action which was brought by him against that paper. He was cross-examined by Mr. Atkinson, Q.C., and the examination was as follows:—

"Question.—Is there any money comes from America that you are aware of for the support of the Plan of Campaign, and do the contributions come through the National League?—Mr. W. O'Brien: No; not all.

"Who receives these that do not come through the National League that you know of?—As a matter of fact, I received the principal portion myself. I received a sum of £5,000 on one occasion myself from the Irish Parliamentary Fund Committee in America.

"When was that contribution?—Oh, it was a long time ago. I should say it was three or four years ago."

That, therefore, would be in 1884 or 1885. The cross-examination continues—

"When did you receive the £5,000?—When I was in America.

"Was that devoted to the Plan of Campaign?—So far as I know, yes.

"Was there any other money devoted to the Plan of Campaign except that money? Were there not other moneys from the National League and American money not from the National League?—I cannot make certain. I should say there must have been, but I do not myself know.

"Did you not promise the people in your speech at Youghal support from America?—Certainly."

As far as I have been able to ascertain the meeting at Youghal was held on August 18, 1886.

MR. W. O'BRIEN: Perhaps I can shorten the speech of the right hon. Gentleman if he will allow me to set him right. He is as much astray about the Plan of Campaign as he is about the Land Act of 1870. The sum of £5,000 mentioned in my evidence in Cork was received by me when I was in America almost two years after the starting of the Plan of Campaign. I knew all about the starting of the Plan of Campaign, and I can assure this House that it was only a week before its publication in *United Ireland*, at the end of October in 1886, that it ever entered into the heart of man to conceive it.

MR. CHAPLIN: When was the Plan of Campaign started?

MR. W. O'BRIEN: Nearly two months after the rejection of Mr. Parnell's Bill.

MR. CHAPLIN: According to my information it was started just one month after the rejection of Mr. Parnell's Bill.

MR. W. O'BRIEN: I give the right hon. Gentleman the assurance, knowing all the facts of the case, that a week before its publication the Plan of Campaign had never been dreamt of by any Irish politician.

MR. CHAPLIN: Does the hon. Member repudiate the evidence I have read?

MR. W. O'BRIEN: The right hon. Gentleman is wholly astray.

*Mr. Chaplin*

MR. CHAPLIN: There is no use telling me I am wholly astray. I have read the sworn evidence of the hon. Gentleman. Of course, if he tells me the report is incorrect, I will withdraw everything I have said and apologise. But, unless he is prepared to repudiate that sworn evidence of his own, I adhere to the statements I have made. I want to go a little bit further. I do not know on what other occasions the hon. Member might have been in America; but I am informed credibly that he was there in 1886 at the Chicago Convention, and, according to the evidence I have quoted, it must either have been then or at an earlier period that he received this £5,000 which, in my opinion, was intended for the Plan of Campaign.

MR. W. O'BRIEN: I am sorry to again disturb the right hon. Gentleman, but he is wholly astray. I was in America in 1886. The Plan of Campaign had not then been dreamt of. I was again in America in 1888, fighting out our battle on the Luggacurren estate, two years after the Plan of Campaign had been started, and it was then that I received the £5,000.

MR. CHAPLIN: The hon. Member, according to his evidence, declares on the 28th of July, 1888—mind, if the hon. Gentleman repudiates the evidence, I do not press it. If he says he did not give that evidence, I will say no more about it. It is all very well to tell me I am astray. Either he gave this evidence or he did not, and if he says he did not there is an end to the matter.

MR. W. O'BRIEN: I certainly gave the evidence, and recovered a verdict for £100 damages.

MR. CHAPLIN: On that date?

MR. O'BRIEN: Yes.

MR. CHAPLIN: On that date he declared that he had received £5,000 for the purposes of the Plan of Campaign, three or four years before 1888. That establishes my case.

MR. W. O'BRIEN: That is a palpable mistake in the report of the newspaper, against which I recovered damages for libel.

MR. CHAPLIN: I do not care whether the hon. Member recovered damages

or not. There is the report, the accuracy of which is now admitted, and it absolutely proves the statements I have made. The idea that the Plan of Campaign was caused by the rejection of Mr. Parnell's Bill is one of the greatest fictions that was ever published. The iniquitous scheme, the Plan of Campaign, failed. The leaders of the Plan of Campaign for some time have been and are still greatly discredited with their unfortunate dupes. And they are not likely under existing circumstances to trust in them again. But if by the passing of this Bill you relieve them from the difficulties into which they have been led by their leaders; if by this Bill you come to the rescue of the Plan of Campaign, what greater inducement is it possible for Parliament to offer to these people to believe in these men as their guides again and to join in any fresh combinations which they may desire to institute in the future? One other point I must refer to. It has been suggested by more than one speaker in the course of the Debate that one effect of the Bill, and perhaps one of its worst effects, would be to lead to great intimidation towards the planters—towards persons who had taken possession of farms from which tenants have been evicted. The hon. and learned Member for Haddington dealt with that question, and then some evidence upon it, and declared that such an objection to the Bill could not be regarded as serious in any degree. It is quite true that the hon. and learned Member was contradicted on that point by an Irish Representative—the Member for East Clare—who spoke almost immediately after; but I should like to ask in all seriousness—Have we no knowledge or experience of intimidation in Ireland under such circumstances? Has the hon. and learned Member never heard of denunciations of land-grabbers? Has he never read the report of the Special Commission? Has he read the verdict of the Judges upon that Commission? If he has given the slightest attention to those questions, how is it possible for him to contend that the fear of intimidation under the circumstances which I have described is not a very serious factor which must be taken into consideration by any Government or by any statesman who is responsible for the government of Ireland.

What leads to intimidation in these cases? It is the possession by one man of the farm which another man thinks he should have and into the possession of which he desires to go. If you pass this Bill you will have the situation described by the hon. Member for East Clare. The hon. Member for East Clare pointed out that one evicted tenant might, under this Bill, be restored to the farm he desired to have while his neighbour might be left out permanently in the cold. There are circumstances which we know must occur from time to time in Ireland; and I must say with all respect to the hon. and learned Member for Haddington that to ignore the conditions which unhappily too often prevail in that country is a course I should not have expected from him. It is for these reasons, amongst many others, that I for one shall give all the opposition in my power to the passing of the Bill. While I yield to no single Member in this House my desire to deal out full and even-handed justice as between man and man, between landlord and tenants, whether in England, Ireland, Scotland, or Wales, I will never be a consenting party, by voting for this Bill, to propose what I believe is eminently calculated to lead to a renewal of disorder and further breaches of the law in Ireland.

\*MR. SMITH-BARRY (Hunts, S.) said, that the Chief Secretary for Ireland, when introducing the Bill, said that he considered that those who opposed it would be devoid of intelligence and humanity. He intended to oppose the Bill, and whether or no he was deficient in intelligence, at any rate he was not devoid of feelings of humanity. He believed he had never taken up a *non possumus* attitude in regard to the evicted tenants. Certainly he had done all he could to avoid evictions on his own estates when it was at all possible to avoid them; but when it was necessary for the sword to be drawn he had of course felt bound to carry the matter through, and he owned he had been responsible for a good many evictions that had taken place in other parts of the country. He had encouraged settlements, and supported the 13th section in the hope that many would be restored under

it. He would be ready to take the same course again if necessary. But this Bill was an altogether different measure. It was a thoroughly impolitic Bill, and one which he believed would be unjust to the landlord and to those tenants who had paid their rent steadily up to the present time. It was subversive of the ordinary principles of law. Who were the evicted tenants that the Bill was intended to benefit? It would be convenient to divide them into two classes—those who were evicted at the time that the “No-Rent Manifesto” was issued on the 18th October, 1881, and those who became so under the Plan of Campaign. Now, both those classes of evicted tenants rose owing to distinctly political movements. And the persons who were responsible for the evictions, therefore, were hon. Members who sat below the Gangway, among the chief of whom in this movement was the hon. Member for Cork. That hon. Gentleman stated that he had never heard of the Plan of Campaign a week before it was brought forward. But the Plan was started by the hon. Member and his colleague in the conduct of *United Ireland*, and it was a remarkable fact that in the October and the November of the previous year the Plan of Campaign was distinctly set out in leading articles which appeared in *United Ireland* for that date. The article of October 24, 1885, contained the following:—

“Paragraphs are continuously appearing in the Press to the effect that tenants of such and such an estate having waited on the agent and been refused a reduction left in a body. We therefore wish to ask the Irish tenants whether in another sense they want to be ‘left in a body,’ as they assuredly will unless they set to work in a very different fashion. When they leave in a body what happens? Do they take counsel together, do they form any combination, do they go and bank such rent as they would pay in a common fund to be used against emergencies? No, they do not do anything of the kind. They go home one by one. . . . We repeat that the estates which dissolve in a body will be beaten in detail; the estates that harden into stern combination will smash the rack-renters’ horse, foot, and dragons. If parish after parish ‘in a body’ banked its rent at the abated rate in trustees’ names, and pledged itself to use this war chest to succour every man attacked what would become of the exterminating union?”

Here, then, they had an article in *United Ireland*, for the conduct of which the hon. Member for Cork was responsible, an article written

twelve months before the Plan of Campaign was promulgated in 1886, and yet the hon. Member now said that the Plan of Campaign had never been dreamt of by any Irish politician until a week before it was started. He would not go through the speeches of hon. Members below the Gangway to show that the Plan was a political and not an agrarian movement, because the hon. Member for the Harbour Division of Dublin and other hon. Members for Ireland had admitted that it was a political and not an agrarian movement, and the hon. Member for East Mayo, in giving evidence before the Mathew Commission with regard to this movement, said that while the subject of the amount of abatement of rent was in dispute they at the same time had in view the getting of further agrarian legislation from the Government. That in itself was conclusive that all the hon. Members were aware of its object, and that that was as the hon. Member for Waterford once said, to make the Government of Ireland by England impossible. But if the farmers in Ireland who had failed in their business were to be reinstated, as was proposed by this Bill, and by public money, he should like to know why the shopkeepers, or small tradesmen, who had failed in the business, or the English farmers in their eastern counties should not have an equal claim to be reinstated.

MR. BYLES: No.

MR. SMITH-BARRY: Why not?

MR. BYLES: Because the farm of the Irish tenant is his own farm; he has created it, and he cannot be put out without his property being taken away from him.

\*MR. SMITH-BARRY said, the hon. Gentleman appeared to think the Irish tenant had made the land, and was different from any other of God’s creatures. Even though the evicted tenants were reinstated, and were to have £50 given them with which to rebuild these houses, how were they to carry on their business? They would have no money to buy stock or to work the farm. The only thing that would happen would be that in a few short years they would have to be re-evicted, and the confusion and

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disturbance in the country would be worse than before. The last state of all would be worse than the first. He believed there were no figures to show what had become of the numerous tenants who had their arrears paid under the Arrears Act of 1883, but he knew that on his own estate there were some of them who, after coming back, their arrears being paid, never paid another sixpence until they had to be evicted and their farms had to be handed over to other men, who were in a more solvent position and able to carry on the work. On the Ponsonby Estate there were 70 tenants who took advantage of the Arrears Act; the Court paid to the owner £800 and the owner forgave £855 of arrears, and at the time of the evictions in 1889 and 1890 these 70 tenants owed £5,116. These figures were not such as to encourage them to again try and prop up men who had already failed in business in the hope that they would succeed in a second venture. He was very sorry for them, and indeed he regretted to see a man fail in any kind of business, but he did not believe it would be doing them any permanent good thus to try and prop them up. It certainly would be doing no good to the landlords, and it would simply be a waste of public money, for they would be sure to fail again if put back into their holdings. And what would be the effect on the neighbours of the evicted tenants who were to be restored? Would it be an inducement to these men—who had paid their rents regularly and who had had a hard struggle to keep their heads above water—to act honestly and according to law, if they found that those who had acted illegally, who were thriftless and worthless, were put back into their holdings on better terms than the men who had struggled through. Was it likely that they would be satisfied and that they would see in the Bill an encouragement to act honestly in the future? What about those tenants who, after joining this combination, had come to an agreement with their landlords and gone back to their lands, paying arrears and costs—men with whom peace had been made and who were now working contentedly on their farms? How would these men be satisfied when they saw the men who had refused to enter into an agreement put back on better terms

than themselves? Was it not likely that there would be a greater and a far juster agitation than any which Ireland had ever seen before? Then there were many landlords who were working their own lands, and who, by spending money in improving farms which had been allowed to run down and in rebuilding tumble-down buildings, with the result that the holdings were now working at a profit greatly to the benefit of the labourers employed on them. He would give one case of several on his own estate. It was a farm of 500 acres in the County of Cork. As a young man he built a large house on that farm for the benefit of the tenant, at a cost of from £400 to £500, and charged him no interest on it. The tenant got on from bad to worse, though allowances were made to him, and at last he left owing rent to the amount of between £600 and £700. The house was left in a very dilapidated condition, and it cost £200 or £300 to repair. He further spent £300 or £400 on drainage. The labourers' cottages were also dilapidated, and the men had never been able to get their wages. He rebuilt the cottages and there were now four families living in them in comfort. But under this Bill the successor in title might come forward and establish a *primâ facie* case, which meant that his predecessor in title had not paid his rent. Not only would he, the landlord, be evicted from the land and all the money he had spent confiscated, but the labourers who were now so comfortable would also suffer, and be forced back to the miserable and barbarous system under which they had existed before. There were other tenants, whose farms were not in the possession of the landlords, who were equally unfitted to be restored to their holdings. There was a case in the County Kerry of a man who had been evicted three times. He had 19 acres at a rent of £3 10s., and he was first evicted in 1886 for £19 5s. of rent. There was a second ejection on title in 1891, when the Sheriff of the County sought to recover possession of the land and £6 16s. due for costs; and again there was an execution in 1892. The farm was now a derelict farm, and the defendant, who had taken forcible possession, had been confined in Tralee Gaol for cutting and carrying away hay and turf,

and for removing the door and window frames of the house in order to prevent the sheriff from locking it up, and he owed 15 years' rent. That was the kind of gentleman who was to be restored under this Bill, and perhaps would receive some £50 to repair the house. The landlords of Ireland had no wish to be paid £100,000 or even £2,000,000 under this Bill as a bribe to restore such men. If Irish Members would allow the evicted tenants to meet their landlords, terms might easily be made with them without the necessity for this Bill. It might be urged that one reason why the State should interfere was that there was a great deal of land derelict, and consequently of no benefit to the community. He found from the Report of the Mathew Commission that there were 701 farms in Ireland absolutely derelict. He had only been able to get particulars of 312 of these, and he found that of that number 53 had been let to old tenants and 47 to new tenants, while 14 were being used by the landlord. This had taken place within 15 months. Therefore, notwithstanding the denunciations of land-grabbing and the promises of reinstatement made by the Government, one-third of the farms as to which he had obtained information were now being worked. That showed that the question was settling itself very fast. One strong reason why the question was not settled was that the Government and its supporters held out to the evicted tenants the hope of being put back on their own terms. If the Chief Secretary would get up and say that the Government could do nothing in the matter the question would settle itself. The time had come when the landlords and tenants, if left alone, could and would settle this question, so far as it deserved to be settled. As to the Bill, it would do more mischief than had been done in that unfortunate country for many years. It would upset all the tenants who had behaved honestly and straightforwardly, and it would be a distinct discouragement to law-abiding and honest people. By its means the Government, instead of bringing peace to the country, would simply be sowing dragons' teeth, and they would reap a fresh crop of outrages.

*Mr. Smith-Barry*

Motion made, and Question proposed,  
"That the Debate be now adjourned."—  
(*Mr. J. Chamberlain.*)

Motion agreed to.

Debate further adjourned till Monday next.

ELEMENTARY EDUCATION PROVISIONAL ORDERS CONFIRMATION  
(BARRY, &c.) BILL [*Lords*].—(No. 310).

Read a second time, and committed.

STATUTE LAW REVISION BILLS, &c.

Leave to the Committee to make a Special Report.

Special Report brought up, and read.

Merchant Shipping Bill reported from the Joint Committee.

Report and Special Report to lie upon the Table, and to be printed. [No. 230.]

Bill re-committed to a Committee of the Whole House for Monday next, and to be printed. [Bill 321.]

STATUTE LAW REVISION BILLS, &c.,

Leave to the Committee to make a Special Report in respect of the—

Copyhold Consolidation Bill [*Lords*].

Special Report brought up, and read ; to lie upon the Table, and to be printed. [No. 231.]

BRITISH MUSEUM (PURCHASE OF LAND) BILL.—(No. 315.)

Read the third time, and passed.

PUBLIC INCOME AND EXPENDITURE.

Return [presented 19th July] to be printed. [No. 227.]

CALEDONIAN CANAL.

Paper [presented 19th July] to be printed. [No. 228.]

NATIONAL EDUCATION (IRELAND).

Copy presented,—of Annual Report of the Commissioners for the year 1893 [by Command] ; to lie upon the Table.

House adjourned at a quarter after Twelve o'clock till Monday next.



## HOUSE OF LORDS.

*Monday, 23rd July 1894.*LONDON STREETS AND BUILDINGS  
BILL.

## SECOND READING.

\*THE CHAIRMAN OF COMMITTEES (The Earl of Morley): My Lords, before I move the Second Reading of the London Streets and Buildings Bill, I should, I think, make a short statement in reference to it. The Bill consolidates the various Acts relating to the streets of London, and in doing so it repeals, no doubt, many public Acts and some private ones. In all other towns but London these matters are dealt with by Private Act. The authorities of the House of Commons have admitted the Bill as a Private Bill, and it has been examined at great length by a Committee of that House. I hope, therefore, your Lordships will approve of the course I have taken in dealing with this as a Private Bill; but I did not like to move the Second Reading without making a short statement to your Lordships on the matter, and this is the first opportunity I have had of mentioning it.

Moved—

"That the Order made on the 19th day of March last, 'That no Private Bill brought from the House of Commons shall be read a second time after Tuesday the 26th day of June next,' be dispensed with, and that the Bill be read 2<sup>a</sup>."  
—(The Earl of Morley.)

Motion agreed to; Bill read 2<sup>a</sup> accordingly, and committed; The Committee to be proposed by the Committee of Selection.

EVIDENCE IN CRIMINAL CASES BILL.  
(No. 154.)

## SECOND READING.

Order of the Day for the Second Reading, read.

THE LORD CHANCELLOR (Lord Herschell) stated that this Bill was postponed.

LORD HALSBURY: If a Bill of this kind, which comes on for Second Reading on the 23rd of July, is to be postponed, one does not see why it has been put down at all.

THE LORD CHANCELLOR (Lord Herschell): My reason for postponing it was that I wanted to ascertain whether it was among those measures which were to be treated in the other House as non-contentious. I think we have often so dealt with these Bills.

LORD HALSBURY: Very often, and I do not understand why this should not pass a Second Reading. It is on the Orders, and will not interfere with what is done in the other House.

THE LORD CHANCELLOR (Lord Herschell): I have not the least objection. It is a kind of Bill which has often been passed. I do not know why it should not be passed into law. These Bills have been passed when my noble and learned Friend sat on the Woolsack as well as once or twice since I have occupied it.

LORD HALSBURY: I entirely agree with what my noble and learned Friend has said. They were passed three or four times in those days; and I think this really is a great object-lesson in persistent and ridiculous obstruction. It is a measure in which all concur; there is a general desire on all sides that an alteration in the law should take place but by reason of persistent obstruction the state of the law which everybody desires to see changed remains unaltered.

Moved, "That the Bill be now read 2<sup>a</sup>."  
—(The Lord Chancellor.)

Motion agreed to; Bill read 2<sup>a</sup> accordingly, and committed to a Committee of the Whole House.

PREVENTION OF CRUELTY TO  
CHILDREN BILL.—(No. 169.)

## SECOND READING.

Order of the Day for the Second Reading, read.

THE LORD CHANCELLOR (Lord Herschell): My Lords, this is merely for the consolidation of the principal and amending Acts. As your Lordships are aware, the amending Act which I introduced was passed this Session.

Moved, "That the Bill be now read 2<sup>a</sup>."  
—(The Lord Chancellor.)

Motion agreed to; Bill read 2<sup>a</sup> accordingly, and referred to the Joint Committee on Statute Law Revision Bills and Consolidation Bills.

## MUZZLING FOR CANINE RABIES.

## QUESTION. OBSERVATIONS.

THE EARL OF ROSSE called attention to a letter from M. Pasteur, read at a meeting at the Mansion House, London, on 1st July, 1889; and asked the Government whether they were not of opinion that the conferring upon a Government Department powers for ordering the muzzling of dogs, which were at present vested in the Local Authorities only, was desirable, with the view of stamping out canine rabies; and whether the simultaneous muzzling of dogs throughout the United Kingdom, recommended by that meeting, did not appear likely to be the most effectual as well as in the end the simplest mode for effecting that object? He said, it might be in the recollection of some of their Lordships that a large and influential meeting was held at the Mansion House just five years ago for the purpose of starting a movement for the establishment of an Institute of Preventive Medicine on the lines of the Pasteur Institute in Paris. The success of Monsieur Pasteur's efforts in combatting the disease of rabies and of his method of treatment had been recognised by scientific men. To arrive at those results M. Pasteur had worked patiently for years, experimenting on animals and advancing step by step. Death had occurred in fewer cases under his treatment than in others. Among other eminent men in favour of the treatment were Sir James Paget, Sir Joseph Leicester, Professor Marshall, Professor Michael Foster, Professor Lancaster, and Professor Victor Foster. The first resolution passed at that meeting was in favour of the efficacy of M. Pasteur's anti-rabies treatment. Prevention was better than cure, and stopping the disease at its source was preferable to merely checking it. M. Pasteur himself had stated in a letter that rabies, whatever its original cause, was known not to arise otherwise than from the bite of an animal suffering from the disease. In Norway, Sweden, and other countries where rabies did not exist nothing would be easier than to introduce it by importing a few mad dogs. All persons bitten by mad dogs should, in the present state of science, be prepared to undergo anti-rabies treatment. Sir Henry Roscoe

fully recognised the value of M. Pasteur's treatment. The second resolution passed at the Mansion House meeting expressed the opinion that rabies might be abolished in the British Islands, and invoked the Government to at once pass a Bill for muzzling dogs throughout the country, and for imposing a reasonable period of quarantine for dogs suffering from hydrophobia. Of course, the whole matter depended upon what might be considered a reasonable period, and whether the public would agree to a sufficiently lengthy general muzzling throughout the country. He did not pretend to possess any special knowledge, and had gathered his facts from others, but in his neighbourhood in Ireland the disease was very common. Panics occurred occasionally and many dogs were destroyed. Since he placed this notice on the Paper another mad dog had appeared in the neighbourhood—about four miles from Burr—and a person bitten had been sent to Paris for treatment, and all dogs bitten by the animal had been destroyed. That sort of thing happened about every three months, and no less than seven cases had been sent by the Board of Guardians to M. Pasteur, each case costing about £20, though one case, that of an old man of 87, had cost the Union as much as £50. That was rather an extreme case. The Local Government Board appeared to have no statistics from the Unions in this matter, but from inquiries at 10 Unions he found that five had sent cases for treatment. Muzzling of stray dogs had been practised under the existing Act for five years, but the disease was still rife, and it was evident that something more must be done. The steps taken must be effectual, for it would be useless to stamp out the disease in one Union if in those adjoining nothing was done. The question was whether M. Pasteur's treatment should not be adopted, dogs being at the same time muzzled for a sufficient period all over the country. It was objected that by this course it would take a whole year to extirpate the disease, and he had great doubts whether the public would submit very cheerfully to that inconvenience; and it was obvious that to succeed they must carry the public with them, or the muzzling regulations would be evaded. Those regulations must be very strict to be effectual. A prolonged period of con-

finement of dogs must cause difficulty. The sporting world, both hunting and shooting, would be against it. It might, however, be done for three months during the summer, and minor measures trusted to for the winter months. As regarded dogs used for industrial purposes, such as the sheep dogs used in mountain districts, greater difficulties no doubt might arise. From statistics obtained in connection with the Institute of Preventive Medicine, it appeared that about  $3\frac{1}{2}$  per cent. of dogs affected with hydrophobia developed it within three months. That would show how far the muzzling would reduce the number of affected dogs. One-thirtieth being the reduction in the first summer, minor measures would be taken during the winter, and the dogs would be muzzled again the following summer, and, according to the statistics, bring down the number another thirtieth. According to his figures there would be very few dogs in the country affected at the end of the second summer. He thought this plan worth trying. With regard to imposing a reasonable period of quarantine for the purpose of stamping out the disease, perhaps Her Majesty's Government might think the minor measures if persisted in would be effectual. In that case it would be desirable to keep fresh causes of infection out of the country. It would be much easier to restrict the importation of dogs than to impose muzzling regulations to get rid of the disease. Quarantine regulations would cause high-class dogs—not mongrels—to be carefully looked after. Another class of animals—ship dogs—would also require to be carefully watched to see that they did not go ashore. The operations of the Anti-vivisection Society were foreign to his subject, but it seemed that the mass of opinion among medical and scientific men was that their obstruction to experiments caused great delay in arriving at a result in this subject, and that an Institute on the plan of the Pasteur establishment was much to be desired. Of course, the question of preventive medicine went far beyond his present subject, but he had been told that for diphtheria and other dreadful diseases information had been obtained there leading to better results than any known to medical men here. He hoped Her Majesty's Government would give

favourable consideration to this matter and would endeavour to carry out the Pasteur system in this country before next Session.

\***LORD RIBBLESDALE** said, he was sure the noble Earl would forgive him for eschewing physiology and for not going into any consideration of the questions of vivisection or anti-vivisection. He would say at once that the Returns now before the Board of Agriculture quite justified the noble Lord in putting his question on the Paper. These Returns showed that, whereas in 1889 there were 312 cases of ascertained rabies in dogs, in 1890 the number fell to 129, in 1891 to 79, and in 1892 to 38; but in 1893 it rose to 93, and in the 27 weeks of the present year ended on the 7th of July the number reported was 101. During this period the noble Earl's part of the country seemed to be an exception to other parts, where there had been a reduction of disease. These figures, he admitted, gave the Board of Agriculture some anxiety, but it was that useful sort of anxiety which made them do something. They were not alarmed, but had tried as far as possible to carry out M. Pasteur's recommendations, and had made vigorous efforts to deal with a state of things which they did not like. He was sorry that the Government had been obliged to withdraw the Dogs Bill—a measure which from its moderation would have commended itself to public opinion (a very important factor) and to Parliament—because of the mistaken interest taken in its passage by one or two Members of the House of Commons. With regard to the first part of the noble Lord's question, the Board of Agriculture did not think new legislation was necessary. Under the 3rd section of the Board of Agriculture Act, 1889, power was given to the Board to prescribe and regulate the muzzling and control of dogs, and also the seizure, detention, and disposal, including slaughter, of stray dogs not muzzled and not under proper control. The Board, in pursuance of these provisions, issued the Rabies Order of 1892, delegating to Local Authorities powers to deal in the way prescribed with dogs suffering from rabies. But he wished to make it clear to the noble Lord that although the Board delegated these powers it in no sense abrogated them,

and the powers remained inherent in the Central Authority. The view of the Board, however, was that Local Authorities must be trusted in these cases; and their reason was that if the Central Authority under the existing circumstances issued very strong orders as to muzzling, seizure, detention, and slaughter, it would probably find itself in the unfortunate position of not being able to enforce its own orders. He had the honour of sitting on a Committee of their Lordships' House which, under the presidency of Lord Cranbrook, inquired into this question in 1887. In their Report that Committee said that the time might come when the public would call upon the Privy Council (now the Board of Agriculture) to act on its authority throughout the Kingdom, but that without that sanction the initiation of the necessary measures must be left to Local Authorities. The Board of Agriculture entirely agreed with that view. They thought the exigencies of each particular locality should be left to be dealt with by the Local Authorities, who were likely to be cognizant with the facts and with the best method of dealing with them. The recommendation of the noble Earl that there should be a simultaneous muzzling of dogs was a simple and an attractive plan in sound, but he feared that if they attempted to carry it out they would find that it bristled with great difficulties and complications. To enable such a course to be taken there must be a great and general concentration of public opinion in this country in support of it. In the first decade of this century, from 1800 to 1810, there were in Prussia no fewer than 1,666 deaths from hydrophobia. If anything of this kind ever occurred in the United Kingdom the recommendation of the noble Earl might be put in force, but the circumstances must be altogether different from what they were at present before they could deal practically with the evil in the way suggested. Whereas with a properly-fitting muzzle the discomfort to the dog was problematic, the resentment of the owner was certain. A noble Friend had just told him of a poodle which, passing from one part of Germany to another, enjoyed six weeks' freedom from the muzzle. On returning within the muzzling area the dog came to his master with the muzzle in its mouth—appa-

rently wanting to have it put on again. Under existing circumstances, and with the facts and figures the Government had before them, they would not be justified in taking so ambitious and doubtful a course as simultaneous muzzling all over the country. Their Lordships would be inclined to agree in this the more readily when he told them that rabies seemed to be confined to certain centres. He remembered that before the Committee he had mentioned a sort of "storm-centre" map was exhibited, showing how much rabies was localised then. Now the disease, he would point out, was very much localised in Lancashire, Lanarkshire, the West Riding of Yorkshire, London, Essex, Kent, Middlesex, and Surrey. He had not the figures for Ireland, and cases that arose in other parts of the country could be usually traced to one or other of these eight counties. These figures would give some idea of the extreme localisation of rabies in this country. During the six and a half years ending June 30th, out of 901 cases of ascertained rabies, 669, or 74 per cent., occurred in the eight counties he had mentioned. The noble Earl had referred to the Rabies Order of 1892, which gave to Local Authorities statutory powers to seize stray dogs. No doubt the Local Authorities would give instructions for carrying out those orders. At the same time, it was to be much regretted on this account that the Bill to which he had alluded had been lost in the House of Commons, because it would have given more particular powers to the police to seize stray dogs, which were a most important feature in this matter; and the Committee had referred to their seizure, detention, and slaughter in one of the paragraphs of the Report. A great deal might be done by Local Authorities giving their own people instructions to carry out the existing Acts as regarded stray dogs. Great objection was taken by some hon. Members to the police having these powers, which, however, would have been to the best interests of the community as well as of the dogs themselves; for stray dogs in London could not expect to lead a very happy life. It was very unfortunate, therefore, that the Bill had been blocked and lost. In conclusion, he feared that he could not give the noble Earl any hope of adopting either simultaneous muzzling or

any new legislation in the direction indicated. The Board of Agriculture were fully aware of their responsibilities, and would not in any way shirk their duty in attempting to deal in every possible way with a terrible and terrifying scourge that had been more or less frightening the world since the days of Hippocrates.

VALUATION OF LANDS (SCOTLAND)  
ACTS AMENDMENT BILL.—(No. 163.)  
COMMITTEE.

House in Committee (according to Order).

THE DUKE OF ARGYLL: My Lords, I ought to apologise to the noble Lord opposite (the Lord Privy Seal) for not having been present when he moved the Second Reading and perhaps gave an explanation of the object of the Bill which was not reported in the newspapers, and which I have not seen. It seems rather an unimportant Bill except with regard to one provision to which my attention has been called by persons in Scotland who think it will have rather an unfair effect upon other ratepayers in the counties. It is in the 7th clause, which gives to a great variety of companies and to corporations the privilege of having their corporate property assessed not by the county valuers but by the railway and canal assessors. I believe that under their valuation considerable advantage is given to those whose property is assessed, and the representation made to me is that under the 7th clause a considerable additional burden will be thrown on other ratepayers. The effect of this clause upon the existing law is not to me very clear. I have looked into the Statute of which this Bill appears to be an amendment, and from that it appears that all companies in possession of corporate property have now the right of applying to be assessed by the railway and canal assessors. This clause makes it not only not optional to them to apply for it, but enacts that they shall be so assessed. There is another important difference. The clause, as I read it, brings in for the first time property belonging to Corporations, Burgh Commissioners, Trustees, or Local Authorities. I should be glad if the noble Lord in charge of the Bill would explain what will be the effect of that upon other rateable property upon the

register, and how far it has been applied for by the Local Authorities in Scotland.

THE LORD PRIVY SEAL AND CHANCELLOR OF THE DUCHY OF LANCASTER (Lord TWEEDMOUTH): I think I can in two sentences answer the question which the noble Duke has put. The object of this clause is really to make absolutely clear and certain the present practice which has been usual in this matter in Scotland. The history of this clause is this: some time ago Lord Stormonth Darling decided that these *quasi*-Public Companies do not come within the definition of the word "Company," and that it is not competent to them to apply to the assessors.

THE DUKE OF ARGYLL: That was the Crinan Canal case.

\*LORD TWEEDMOUTH: Yes; but this decision was reversed on appeal. This provision was introduced into the Bill in consequence of Lord Stormonth Darling's decision in the Crinan Canal case. It was thought well that in spite of the reversal of Lord Stormonth Darling's decision by the Court of Appeal this clause should still remain in the Bill, in order to make it quite clear that these Public Companies could apply to the assessors of railways and canals to make valuations as in the past. It is not compulsory on them to do so; it is left perfectly optional, and the clause is only intended to give effect to what has been the practice in Scotland up to the present. I believe, as a matter of fact, there are 18 Companies in Scotland at present who have their property valued by the assessors in this manner.

THE DUKE OF ARGYLL: Does that apply to municipal property?

\*LORD TWEEDMOUTH: The intention of this Bill is not to introduce any change in the law, but simply to confirm the practice which has been usual, and which the Court of Appeal decided to be the practice, reversing Lord Stormonth Darling's decision.

THE DUKE OF ARGYLL: I quite understand that as to other Companies, but a Municipal Corporation is not a Company in the eye of the law, and I very much doubt—I say it subject to the opinion of noble and learned Lords—looking at the Statute whether the property of a Municipal Corporation would come under the law as it now stands.

\*LORD TWEEDMOUTH: As I understand, it is only with regard to under-



takings of a public character which are carried on by it in its corporate character. It is only in the case of their doing certain work as companies—providing gas, water, and so forth, as they sometimes do. But if the noble Duke will allow me, I will make further inquiry at the Scotch Office, and will, if possible, answer his question in the Standing Committee to-morrow.

THE EARL OF CAMPERDOWN said, Section 23 of the Statute referred only to Gas and Water Companies having continuous lands or heritages liable to be assessed in more than one county or burgh. It did not refer to the property of Corporations which presumably would lie within their districts, but to Companies having property in more than one county, parish, or burgh.

LORD TWEEDMOUTH: I will inquire into the matter.

Bill reported, without Amendment; and re-committed to the Standing Committee.

#### LOCAL GOVERNMENT PROVISIONAL ORDER (No. 17) BILL.—(No. 123.)

Read 3<sup>a</sup> (according to Order), with the Amendments, and passed, and returned to the Commons.

#### LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 14) BILL.—(No. 150.)

Read 3<sup>a</sup> (according to Order), with the Amendment, and passed, and returned to the Commons.

#### QUARRIES BILL [H.L.].—(No. 149.)

Read 3<sup>a</sup> (according to Order); Amendments made; Bill passed, and sent to the Commons.

#### COAL MINES (CHECK WEIGHER) BILL [H.L.].—(No. 153.)

Read 3<sup>a</sup> (according to Order); and passed, and sent to the Commons.

#### INDUSTRIAL SCHOOLS BILL [H.L.] (No. 152.)

Amendments reported (according to Order), and Bill to be read 3<sup>a</sup> To-morrow.

#### BOARDS OF CONCILIATION BILL [H.L.] (No. 112.)

House in Committee (according to Order): Bill reported without Amend-

*Lord Tweedmouth*

ment; and re-committed to the Standing Committee.

#### ZANZIBAR INDEMNITY BILL.

(No. 167.)

Read 3<sup>a</sup> (according to Order), and passed.

#### BRITISH MUSEUM (PURCHASE OF LAND) BILL.

Brought from the Commons; read 1<sup>a</sup>; and to be printed. (No. 173.)

House adjourned at a quarter-past Five o'clock, till To-morrow, half-past Five o'clock.

### HOUSE OF COMMONS,

*Monday, 23rd July 1894.*

### QUESTIONS.

#### BAMLEY-IN-THE-WILLOWS NATIONAL SCHOOL.

MR. GRIFFITH-BOSCAWEN (Kent, Tunbridge): I beg to ask the Vice President of the Committee of Council on Education whether the managers of the national school of Bamley-in-the Willows, Newark, have been required by the Department to build a cloakroom, although an unused classroom 13 ft. by 9 ft. has been transformed into a cloakroom in the present year; and whether the Department intends to press this demand?

\*THE VICE PRESIDENT OF THE COUNCIL (Mr. ACLAND, York, W.R., Rotherham): The managers of this school were required last year to provide suitable cloakroom accommodation. I understand that they have since fitted up a recess in the schoolroom for this purpose, and that Her Majesty's Inspector regards the arrangement as satisfactory. They will not, therefore, be required to build a cloakroom.

#### HEVER (EDENBRIDGE) SCHOOLS.

MR. GRIFFITH-BOSCAWEN: I beg to ask the Vice President of the Committee of Council on Education will

he explain why a grant of £10 (the usual extra grant under Article 105 for small schools) has been refused to Hever Schools, near Edenbridge, Kent, this year; and why no answer has up to date been sent by the Education Department to a letter written by the Rector of Hever, the Rev. R. Lathom Browne, to the Department on the 27th of June asking the reason of the refusal?

**\*MR. ACLAND:** The grant in question has not been refused. Her Majesty's Inspector is not satisfied that the grant is claimable on the ground of the population being within the prescribed limit. An answer to Mr. Browne's letter—which was not too courteous in its tone—has now been despatched; and the grant will be paid if the managers can satisfy the Department that the conditions as to population are fulfilled.

**MR. GRIFFITH-BOSCAWEN:** Then it is a fact that the grant has not yet been paid?

**\*MR. ACLAND:** It has not yet been paid.

#### FISHERY POACHERS IN LIMERICK.

**MR. T. M. HEALY (Louth, N.):** I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland (1) is he aware that a water bailiff named Connell employed by the Limerick Conservators was charged at Croom, on 11th June, with firing a revolver at Patrick Kennedy, and that the case was dismissed on the ground that the shot was merely fired to attract the attention of another water bailiff; (2) Was the Crown legally represented on the occasion; did the police neglect to arrest Connell for several days; and did they report to the authorities that so serious a charge was to be tried; (3) Is he aware that Connell was fined previously for firing a revolver while drunk at some persons at Annacotty, County Limerick; (4) Will the Government inquire whether persons living on the banks of the River Maigue are seriously alarmed at the way in which armed bailiffs use or threaten to use their pistols under the pretext of preserving the river from poachers; (5) Will Connell be allowed by the Executive to retain his weapon; and (6) Who were the Justices who decided that the firing at Kennedy was lawful?

**THE CHIEF SECRETARY FOR IRELAND (Mr. J. MORLEY, Newcastle-upon-Tyne):** (1) The facts appear to be as stated in the first paragraph. (2) The Crown was not legally represented on the occasion, but the District Inspector of Constabulary had charge of the prosecution. The warrant for Connell's arrest was issued on the 5th June, but by direction of the Justice who issued it, it was not executed until the 11th June—the date of Petty Sessions, where it was known Connell would attend to give evidence in some poaching cases. The occurrence was duly reported by the Constabulary, and the District Inspector instructed to take charge of the proceedings. (3) Connell was fined about a year ago for having been drunk while in possession of a revolver, but not for having discharged the weapon. (4) The Constabulary report that poaching is carried on to a considerable extent on the River Maigue, and that no respectable persons in the locality have ever complained of the conduct of the bailiffs. (5) Upon the information at present before me there are no sufficient grounds for depriving Connell of his revolver. (6) The Justices present at Croom Petty Sessions on the 11th instant were Mr. Dickson, R.M., Sir David Roche, and Messrs. Fitzgerald and Harris. They were unanimous in refusing informations against Connell.

**MR. T. M. HEALY:** Has a Resident Magistrate power to suspend the operation of the law? The warrant for this man's arrest was not executed until six days after its issue. Who signed the warrant?

**MR. J. MORLEY:** That I cannot say.

#### DUBLIN AND KEW BOTANIC GARDENS.

**\*MR. T. M. HEALY:** I beg to ask the Secretary to the Treasury at what hours are the Botanic Gardens in Dublin and at Kew open to the public in summer and winter, and what are the hours when the hothouses are open; and could arrangements be made by which the Dublin gardens and houses could be kept open in summer at hours when the working classes could have access to them?

**MR. ACLAND:** Perhaps I may be allowed to answer this question. The Botanic Gardens in Dublin are open on week-days from 10 a.m. to 6 p.m. be-



tween the 1st April and the 30th September, and from 10 a.m. to 4.30 p.m., or to sunset, between the 1st October and the 31st March. The conservatories are opened an hour later, and closed and hour earlier than the Gardens. On Sundays, both gardens and conservatories are open from 2 p.m. till the stated time for closing the Gardens. The Gardens at Kew are open on week days from 12 till sunset, and on Saturdays and Sundays from 1 till sunset, the latest time of sunset being taken as 8 p.m. in summer, and the earliest as 4 p.m. in winter. The hothouses are open from 1 to 6 p.m. in summer, and from 1 to sunset in winter, on week-days and Sundays alike. I will see whether, while having due regard to the hours of the *employés*, arrangements can be made for keeping the Gardens and houses at Dublin open somewhat later in summer than is the practice at the present time.

#### IRISH LANDLORDS' INDEBTEDNESS TO THE CROWN.

MR. T. M. HEALY: I beg to ask the Secretary to the Treasury what is the total amount of arrears due by Irish landlords to the Crown for quit-rents, and what steps are being taken to collect them; could a return be given of the estates on which quit-rent is owing, and the amount in each case; and, where can a view be obtained of the income from Irish quit-rents paid to the Crown, and the arrears in each year since the Union?

THE SECRETARY TO THE TREASURY (Sir J. T. HIBBERT, Oldham): The total amount of arrears due to the Crown for quit-rents at March 31st, 1894 (exclusive of a gale which accrued due only on the 24th of that month, and does not appear in the accounts till the following year), is £14,275 16s. 10d. Exclusive of a portion of this sum, which the Commissioners of Woods deem irrecoverable, the arrears consist partly of those not more than one year in arrear, which are being dealt with by the local collectors who are officers of Inland Revenue, and partly of those in arrear for more than a year in respect of lands, houses in towns, and fairs and markets, which are being dealt with at the Quit Rent Office, Dublin, and by the collectors. The publication of the information indicated in paragraph 2 of the

question would be a new departure, and in the opinion of the Commissioners of Woods an undesirable one. I may, however, mention that since March 31st, 1890, there has been a reduction of about £14,000 in the amount of arrears, of which £3,771 was written off. The quit-rents were placed under the management of the Commissioners of Woods in 1827 by the Act 7 & 8 George IV., c. 68, and from that period till now the accounts of the Commissioners of Woods contain the income and arrears. Since 1853 the information has been given in the annual Reports of the Commissioners of Woods in a convenient form.

\*MR. T. M. HEALY said, the point he wanted to know was how much of the quit-rent annually the Irish landlords had refused to pay, and whether in the sum of £14,275 was included the irrecoverable arrears in each case?

SIR J. T. HIBBERT said, he was unable to answer that question offhand, but he would endeavour to obtain the information required. The sum of £14,275 certainly included the arrears that were irrecoverable.

MR. CARSON (Dublin University): May I ask whether these quit-rents will be payable in priority to the Estate Duties?

SIR J. T. HIBBERT: I am unable to answer that question.

#### EDUCATION GRANTS FOR RURAL DISTRICTS.

MR. TALBOT (Oxford University): I beg to ask the Vice President of the Committee of Council on Education whether it is in accordance with the present practice of the Department to refuse grants to schools in rural districts, under Articles 104 and 105 of the Code, which serve a population under 500, when the population of the ancient civil parishes out of which those districts are taken exceed that limit, although such schools have previously received such grants; and when this change of policy originated?

MR. ACLAND: The school district in these Articles is defined by the Education Act of 1870 as the civil parish. There has been no change of policy whatever in this respect. Any grants which may have been made to schools where the population of the civil parish exceeded the prescribed limit must have been made in error, and would, of course, be discon-

*Mr. Acland*

tinued as soon as the mistake was discovered. I suppose it is to such cases that the hon. Member refers.

In reply to a further question,

Mr. ACLAND said, the hon. Gentleman would see from the Annual Report this year in what cases the grant had been refused. He would probably remember that during the latter part of the period of Office of the late Government a Return was given to show how the grant was allotted. In some cases it was seen that the allotment was contrary to the law, and hence it was that it had since been refused in those instances.

#### FECKENHAM NATIONAL SCHOOL.

Mr. TALBOT : I beg to ask the Vice President of the Committee of Council on Education whether his attention has been called to the case of Feckenham National School, in the County of Worcester, where additional class-room accommodation is required to be provided during the current year, notwithstanding that the general accommodation of the school is largely in excess of the average attendance of the children ; and whether he will reconsider this requirement ?

Mr. ACLAND : In the last Report on this school, which was sent last November, the attention of the managers was called to the fact that the two class-rooms were both undersized, being only 16 feet by 12. No requirement, however, was made to provide new class-rooms, and there has been no further correspondence on the matter since.

#### THE ERASMUS SMITH EDUCATIONAL ENDOWMENT.

Mr. CHANCE (Kilkenny, S.) : I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland—(1) why the Draft Scheme for the management of the Erasmus Smith Educational Endowment, which was published in 1892, and publicly considered in October, 1892, has not been put in force ; (2) when will the Report for 1893 of the Educational Endowment (Ireland) Commission be published ; (3) why a large proportion of the income of the Erasmus Smith Endowment, which was expressly left for the free education of poor children on the donor's Irish estates, and 20 other poor

children residing within two miles of the schools, has been applied for the benefit of persons who do not come within these terms, notwithstanding the Educational Endowments (Ireland) Act of 1885 ; (4) whether any steps are to be taken under that Act to reform the management and application of the Erasmus Smith Endowment ; and (5) whether the Commissioners, under the Educational Endowments (Ireland) Act of 1855, have yet dealt with the Erasmus Smith and Incorporated Societies Endowments, which are the two largest educational endowments in Ireland, and amount to about £20,000 a year ?

Mr. J. MORLEY : (1) No Scheme can come into force under the Educational Endowments (Ireland) Act, 1885, unless it has been first framed and signed by both the Judicial Commissioners, and subsequently approved by the Lord Lieutenant in Council. The Draft Scheme for the future management of Erasmus Smith's Endowment, which was prepared by a majority of the Commissioners in 1892, was met by a number of objections raising serious and difficult questions, which were discussed at a public sitting of the Commission held in October, 1892. The Judicial Commissioners have not since been able to concur in framing a revised Scheme, but they intend to further consider the matter immediately after Mr. Justice O'Brien's return from circuit, and to announce the result at an early date. (2) The final Report of the Commission will be published before the end of the current year, and will cover the whole period from the date of the last Report to the completion of the business of the Commission, whose general statutory powers have expired. (3, 4, and 5). The endowment referred to is now administered under certain Charters and Acts of Parliament, and this administration cannot be affected under the Act of 1885 otherwise than by a Scheme duly framed and approved. No such Scheme has, as pointed out, been yet framed. The Educational Endowments Commission published a Draft Scheme for the future management of the Endowments belonging to the Incorporated Society on August 14th, 1893. The Scheme was revised after public consideration of the objections received, and was signed by the Judicial Commissioners on February 3rd, 1894. Having been

duly published it was provisionally approved by the Lord Lieutenant in Council on May 21st, 1894. The annual amount of Erasmus Smith's and Incorporated Society's Endowments is believed to be much less than £20,000 a year, and the endowments of the Incorporated Society consist of a large number of distinct endowments, many of which are held upon special trusts.

#### LABOURERS' COTTAGES IN THE KILLOUGH DISPENSARY DISTRICT.

MR. M'CARTAN (Down, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the application made to the Downpatrick Board of Guardians, at their meeting on the 14th instant, for the erection of two labourers' cottages in the Killough Dispensary District; whether he is aware of the absolute necessity for having some labourers' cottages erected in the district; and if he will communicate with the Board as to the desirability of having them erected with the least possible delay?

MR. J. MORLEY: A representation has been made to the Guardians, as stated in the first paragraph, and should they decline to act upon it, it will then be open to the persons who signed the representation to apply direct to the Local Government Board for an inquiry into the matter, in pursuance of Section 4 of the Act of 1891. I may point out that the application now before the Guardians can only be considered after the issue of the notices required by the Labourers' Acts, and that at the present stage of the proceedings it would be premature for the Local Government Board to take action.

#### THE ALLEGED MASSAGE SCANDALS.

MR. S. SMITH (Flintshire): I beg to ask the Secretary of State for the Home Department whether his attention has been drawn to a statement made in *The British Medical Journal* that "massage shops" are in many cases used for improper purposes; whether this subject has attracted the attention of the police: whether, quite recently, one of the best known of these places has been raided and stopped; and whether the Government proposed to take any

steps for the registration of massage shops?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (MR. ASQUITH, Fife, E.): I have read the article referred to. Except by the statements in that article, the attention of the police has not been called to the subject. There is no truth in the statement that the police have raided and stopped one of these places. The matter has been, and is being, carefully investigated, but up to the present no sufficient evidence has been forthcoming to warrant police action, or to show the necessity of an amendment of the law.

#### IMPRISONMENT FOR NON-PAYMENT OF RATES.

MR. HOPWOOD (Lancashire, S.E., Middleton): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the case of James Spendlove, a working man, arrested by the police for the non-payment of rates, 8s. 4d., and 11s. costs, at Cornholme, and conveyed to Todmorden, and thence to Wakefield Prison; whether he is aware that the man was handcuffed and marched through the streets as a criminal, and kept handcuffed until he reached the gaol; that the man requested to be allowed to go to his employer's office to get his wages; and that no information was given to his wife of what had become of him; whether such proceedings are justifiable for the enforcement of a civil debt; whether he will think it proper to convey to the police condemnation of such treatment; and whether costs of 11s. are justifiable for the collection of a debt of 8s. 4d.?

MR. ASQUITH: I have made inquiry into the case of James Spendlove, and I am informed by the Clerk to the Todmorden Justices that the costs were not 11s., but 8s. 6d. only, which he states is less in amount than the authorised charges. As to the handcuffing, a female and three male prisoners, Spendlove being one, were sent in charge of two officers from Todmorden Police Station to Wakefield Prison. One officer had charge of the female prisoner, and the other constable of the three male prisoners, who were handcuffed at the police station, and remained so until they reached the prison. I have already, on a

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former decision, expressed my opinion that in the case of a person in custody for non-payment of civil debt the use of handcuffs can only be justified by the pressure of extreme necessity, of which I see no evidence in the present case, and I have so informed the authorities of the West Riding Police Force. The allegation that Spendlove was not allowed to go to his employers' offices appears to be inaccurate, as he was apprehended in the presence of his employer, to whom the circumstances of the case were explained by the police officer, and Spendlove did not ask for money from him, but only for time to pay, and he could have had his wages had he so wished. Spendlove's wife was living eight miles away, and word was sent to her by Spendlove's employer. She came over next day and drew her husband's wages, and promised to pay the amount. The original summons was taken out against Spendlove on the 14th of April, and the commitment was not executed until the present month, so Spendlove had ample time allowed him.

#### PROPOSED FISH HATCHERY AT CAMPBELTOWN LOCH.

**Mr. BIRKMYRE (Ayr, &c.) :** I beg to ask the Secretary for Scotland whether he has taken any steps towards the examination of Campbeltown Loch, with a view to the establishment of a fish hatchery there for the West Coast of Scotland ; and, if not, whether he proposes to take any steps in the direction indicated before the close of the present season ?

**THE SECRETARY FOR SCOTLAND (Sir G. TREVELYAN, Glasgow, Bridgeton) :** I am informed by the Fishery Board that the subject was brought before them at their last meeting in connection with previous correspondence, and they decided in the meantime to delay its consideration. In these circumstances, I do not propose to suggest that any further steps should be taken by the Board at the present time.

#### THE LINN OF DEE.

**Mr. A. MORTON (Peterborough) :** I beg to ask the Secretary for Scotland whether his attention has been called to a statement in *The Aberdeen Free Press* of the 18th that the Linn of Dee is about to be destroyed by blasting the

rocks ; and, if so, whether he will take measures to prevent the projected destruction of one of the most remarkable objects of interest on all Deeside ?

**SIR G. TREVELYAN :** My attention was first directed to the statement referred to by the hon. Member, and I have since seen the newspaper reports on the subject. There is no Public Body, so far as I know, which has any power in the matter to whom I could refer for information ; but I am informed by the factor of the estate that the reports are greatly exaggerated, as what is contemplated will in no degree affect the aspect of the Linn of Dee.

#### KASSALA.

**SIR E. ASHMEAD-BARTLETT (Sheffield, Ecclesall) :** I beg to ask the Under Secretary of State for Foreign Affairs whether the Italians have captured and occupied Kassala, in the Eastern Soudan ; and whether Italy will maintain her occupation of that important position ?

**THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir E. GREY, Northumberland, Berwick) :** The fact of the occupation of Kassala by the Italian forces has been communicated to Her Majesty's Government by the Italian Government, with assurances to the effect that the event will in no way affect their intention to act up to their engagements to this country. These engagements are recorded in the Protocol of April 15, 1891, which was laid before Parliament under "Italy (No 1)" of that year.

#### GYMNASTIC INSTRUCTORS IN THE ARMY.

**Mr. PIERPOINT (Warrington) :** I beg to ask the Secretary of State for War whether officers who have been appointed gymnastic instructors for two years are seconded ; and, if not, why not, seeing that their services are for the time being lost to their regiments ?

**THE SECRETARY OF STATE FOR WAR (Mr. CAMPBELL - BANNERMAN, Stirling, &c.) :** These officers are not seconded. The War Office has seconded, at great cost to the country, almost every officer who is extra-regimentally employed, and I am not prepared to go further in this direction. The regiments

must provide the few officers—about one from every 10 battalions—who are required for gymnastic instruction and who are only required for these duties for two years.

**MR. PIERPOINT :** Can the right hon. Gentleman say whether, in the case of a captain being appointed gymnastic instructor, his subaltern, who does his duty for the two years, gets extra pay?

**MR. CAMPBELL-BANNERMAN :** No, Sir; I do not think he does.

#### POOR RATE ARREARS IN ROSCOMMON UNION.

**MR. BODKIN (Roscommon, N.) :** I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland (1) if his attention has been called to the proceedings for arrears of Poor Rate instituted by the Roscommon Board of Guardians against Michael Hinnerty, John Brennan, and Mary Kelly, widow, all of Ballymurry, Roscommon, who had purchased, under the Land Purchase Acts, their holdings, valued respectively under £4 per annum; (2) is he aware that these proceedings were dismissed by the Magistrates on the ground that these arrears were really due by the former landlord, from whom the Poor Rate collector had neglected to collect them; (3) were those proceedings sanctioned by the Local Government Board for Ireland; and (4) will he give the necessary directions to prevent the recurrence of such proceedings?

**MR. J. MORLEY :** (1.) Proceedings for the recovery of Poor Rates were instituted by the Poor Rate collector, not by the Board of Guardians, against the persons named, whose holdings are valued under £4. The collector states that in 1891 he applied to the agent of the estate for the rates then due on these holdings, but the latter declined to pay them on the ground that he received no rents, and when the collector again made application he was informed that the tenants, having entered into agreements for the purchase of their holdings, were liable for the rates. The tenants having declined to pay, the collector applied to the Land Commission for information, and was advised that the tenants were liable, and he accordingly summoned them to Petty Sessions. (2.) The Magistrates gave decrees for the current rates, but made no order as to arrears.

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(3.) No proceedings for the recovery of rates in such cases require the sanction of the Local Government Board. (4.) The Local Government Board cannot interfere with Boards of Guardians and their officers in taking such proceedings as they may deem necessary within the law to recover rates due in their Unions.

**MR. BODKIN :** Were these proceedings sanctioned by the Local Government Board or not? I am informed that they were.

**MR. J. MORLEY :** I am told by the Local Government Board that no proceedings of this kind require their sanction.

#### SWAZILAND.

**MR. CAYZER (Barrow-in-Furness) :** I beg to ask the Under Secretary of State for Foreign Affairs whether, although by the London Convention of 1884 with the South African Republic, the independence of the Swazis within the boundary line of Swaziland was fully recognised, the Government proposes now to withdraw from the joint Protectorate of Swaziland with the Transvaal Republic, and surrender the country to the Government of the Transvaal Republic, against the protests of the Queen Regent and inhabitants of Swaziland, who are desirous of remaining under British protection?

**THE UNDER SECRETARY OF STATE FOR THE COLONIES (Mr. S. BUXTON, Tower Hamlets, Poplar) :** The question of the future government of Swaziland is still the subject of negotiation.

#### WRECKAGE OFF FLAMBOROUGH HEAD.

**MR. MACDONA (Southwark, Rotherhithe) :** I beg to ask the President of the Board of Trade whether he is aware that on the 18th instant a large amount of wreckage was reported to have been seen about 14 miles off Flamborough Head; and, if this be so, will he instruct the Trinity House Board to send out a vessel to make further search for a derelict supposed to be afloat in that locality?

**THE PRESIDENT OF THE BOARD OF TRADE (Mr. BRYCE, Aberdeen, S.) :** On the 17th instant the Receiver of Wreck at Newcastle forwarded to the Board of Trade a Report by the master of the ship *Ruth* that on the 15th he had passed the quarter deck of a large sailing

ship floating about 14 miles S.E.  $\frac{1}{2}$  S of Flamborough. A copy of the Report was at the same time sent by him to the Trinity House, in accordance with the general instructions issued by the Board to Receivers of Wreck. A Report was also received by the Board on the 17th instant from their Deputy Superintendent of Mercantile Marine at Blyth of a waterlogged vessel passed by the *Constantine* on the 14th instant 15 miles S.S.E. of Flamborough. This information was telegraphed by the Board of Trade to the Trinity House. The Trinity House inform me that a thorough search was made by their steamer *Argus* on the 18th and 19th instant all round the position reported, but nothing was seen of the wreckage in question. If further information should come to hand as to this alleged derelict a further search will be made for her, in case her position can be approximately fixed.

#### ALLEGED ORANGE OUTRAGE ON A PROTESTANT RECTOR.

**MR. O'DRISCOLL (Monaghan, S.) :** I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland is he aware that, on the night of 13th or early morning of 14th July instant, the stable of Rev. A. B. R. Young, M.A., the Protestant Rector of Ballibay, County Monaghan, was entered, and the mane of a valuable horse so mutilated as to greatly reduce the selling price of the animal, the reason for this malicious injury being, it is supposed, that the reverend gentleman had some Orange flags removed from the tower of his church in consequence of one of the pillarets to which they were attached having been knocked down and broken on the night of the 7th instant; and what, if any, protection has been afforded to Mr. Young against a repetition of such outrage?

**MR. J. MORLEY :** I am informed that the facts are as stated in the question. Some three or four inches of hair were removed from the horse's mane, but no bodily injury was inflicted. The reverend gentleman is receiving every necessary protection from the police.

**MR. O'DRISCOLL :** Is the right hon. Gentleman aware that the rev. gentleman, in consequence of his action, has been burnt in effigy by members of the Orange organisation and threatened

with condign punishment by the leaders of that body?

**MR. J. MORLEY :** I am not aware.

#### DENUNCIATION OF LAND GRABBERS IN LIMERICK.

**MR. CARSON (Dublin University) :** I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been drawn to a leading article in *The Limerick Leader* of 11th July, which states that the evicted farm of O'Grady has been taken by a Mr. James Valentine, who hails from Naas, County Kildare; that in Ballybroad district a grabber ought not to have any pleasant quarters; and that the old policy of boycotting should be put in force, and announced that a public meeting will be held in the district in three weeks' time to denounce his conduct; whether the meeting referred to will be allowed to take place; and whether the incitement to boycotting contained in this paper has been brought under the notice of the Law Officers, and with what result?

**MR. J. MORLEY :** The newspaper article referred to has been brought under the notice of the Attorney General, whose opinion is that, although the language in question may contain some evidence of an offence, yet it is too ambiguous to found a prosecution on it. The question of allowing, or disallowing, any meeting in the locality will be considered so soon as the local responsible authorities are in possession of definite information pointing to the fact that such a meeting is intended to be held. At present they have no information in the matter beyond the vague announcement in the newspaper article mentioned.

#### CHELSEA HOSPITAL FUNDS.

**SIR J. LENG (Dundee) :** I beg to ask the Secretary of State for War whether it is correctly stated by the Committee of Public Accounts that the Commissioners of Chelsea Hospital have a capital of £79,000, mainly prize money, to which additions have been made from rent and other sources, and that no withdrawals excepting rent money have been made; and whether there is any objection to applying this sum to cases of indigent Crimean veterans who have applied for compassionate allowances?

**MR. CAMPBELL-BANNERMAN :** As the whole question of the employment of the Chelsea Hospital property to the best advantage of old soldiers is at present being considered by a Committee, I should prefer not to make any statement on the subject until I have had the opportunity of considering their Report.

#### NAVAL ENGINEERS' EXAMINATIONS.

**MR. SCHWANN (Manchester, N.) :** I beg to ask the Civil Lord of the Admiralty on what date, approximately, the local examinations will be held in Manchester and Birmingham, of the Royal Naval College, for Engineers; and whether he has any other communications to make as to any conditions, &c., of these examinations?

**THE CIVIL LORD OF THE ADMIRALTY (Mr. E. ROBERTSON, Dundee) :** The local examinations for engineer students will be held at Manchester and Birmingham, as well as other centres, in April next, but the exact date will not be fixed until January, and may then be ascertained from the Civil Service Commissioners, who conduct the examination. Candidates must be not less than 14 nor more than 17 on the 1st of May next. Successful candidates will be entered as engineer students in the Navy on the 1st of July, and will pass through a course of five years at the Training School for Engineer Students at Keyham. The cost to parents is £40 for each year of the course.

#### THE WAZIRI EXPEDITION OF 1881.

**SIR A. ACLAND-HOOD (Somerset, Wellington) :** I beg to ask the Secretary of State for War whether it is intended to issue the India Frontier Medal to the troops engaged in the Waziri Expedition of 1881; and whether this medal has been given to troops engaged in expeditions of a less important character both prior to and since the Waziri Expedition in 1881?

**THE SECRETARY OF STATE FOR INDIA (Mr. H. H. FOWLER, Wolverhampton, E.) :** My right hon. Friend has asked me to answer this question. There is no intention of issuing the India Medal to the troops engaged in the Waziri Expedition of 1881. The question of giving or not giving a medal is decided at the close of a campaign. I

am not able to say whether the expedition of 1881 was of greater or less importance than the expeditions before or since that date for which the India Medal has been given.

**SIR A. ACLAND-HOOD :** Is it not a fact that in many cases the medal has not been issued till 15 years after the close of a campaign?

**MR. H. H. FOWLER :** I am not aware of that. I am informed the decision is arrived at immediately after the close of a campaign.

#### THE SANITARY CONDITION OF EGYPT.

**MR. SETON-KARR (St. Helens) :** I beg to ask the Under Secretary of State for Foreign Affairs whether it is correct, as stated in an article by Sir William Marriott in *The Pall Mall Gazette*, of 18th July last, that Rogers Pasha, the Director General of the Sanitary Department in Egypt, had in 1893 reported that Egypt, in its general sanitary condition, remains as it was 10 years ago; that not a town has been drained, for the drainage of Cairo is only approved; and that from a sanitary point of view the country is about as well prepared to meet the disease of cholera as it was in 1883; whether, as suggested in the same Report, the Finance Department in Egypt is responsible for this state of things; whether Sir Elwin Palmer is now the Financial Adviser of that Department, and holds the appointment under an agreement with the Egyptian Government that he is to retain it for 15 years from the date of his appointment; and whether such an agreement is legal, and has the sanction of Her Majesty's Government?

**SIR E. GREY :** The opinion of Rogers Pasha, the Director General of the Sanitary Department in Egypt, as to the general sanitary condition of Egypt, will be found on page 17 of Lord Cromer's Report of this year on the condition of Egypt (Egypt No. 1, 1894). It will be seen that a certain amount of progress has been made in sanitary improvements, though in a Mahomedan country, and one so hampered as Egypt is in matters of finance and of administration affecting foreigners, the progress is necessarily slow and difficult. It will be seen from Mr. Garstin's observations on page 37 of the same Report that the Finance Department is not solely, or even mainly,



responsible for the delay in executing the drainage scheme for Cairo, but that it is useless to take any steps in this direction till certain complementary measures have received the assent of the Powers. Sir Elwin Palmer has been Financial Adviser to the Egyptian Government since August, 1889. The choice was made by the Egyptian Government, but was agreed to by Her Majesty's Government. Her Majesty's Government were not consulted as to the terms of the contract under which Sir E. Palmer accepted the appointment. Such contracts are usually made for a term of years, with certain conditions in case of an earlier termination. It is a matter within the discretion of the Egyptian Government; and, so far as Her Majesty's Government can judge, the practice is both legal and convenient.

**MR. SETON-KARR:** Will the hon. Baronet kindly state some of the particulars alleged of the improvement in sanitary reform?

**SIR E. GREY:** No, Sir; for all particulars I think it very much more convenient that the hon. Member should consult the Report first.

#### BUSINESS OF THE HOUSE.

**MR. A. J. BALFOUR** (Manchester, E.): I should like to ask the right hon. Gentleman what are the arrangements for the week?

**MR. J. MORLEY:** The Government propose to take the Equalisation of Rates (London) Bill to-morrow; on Wednesday the Report stage of the Building Societies (No. 2) Bill; and on Thursday the Committee stage of the Evicted Tenants Bill.

**MR. A. J. BALFOUR:** The discussion of that Bill will go on from day to day, with the exception of the time given to the Vote on Account?

**MR. J. MORLEY:** Yes, Sir, with that exception. The Vote on Account will be taken on Monday.

#### ORDERS OF THE DAY.

##### EVICTED TENANTS (IRELAND) ARBITRATION BILL.—(No. 176.)

##### SECOND READING [ADJOURNED DEBATE].

Order read, for resuming Adjourned Debate on Amendment proposed to Question [19th July], "That the Bill be now read a second time."

And which Amendment was, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Colonel Saunderson.*)

Question again proposed.

Debate resumed.

**MR. J. CHAMBERLAIN** (Birmingham, W.): Mr. Speaker, in introducing this Bill, and again upon the Second Reading, my right hon. Friend the Chief Secretary referred to some remarks which were attributed to me by a very energetic reporter, who caught me, in the year 1891, on an Atlantic steamer which was *en route* for America. As my right hon. Friend thought the matter sufficiently important to refer to it on two occasions, I may say that—although I do not think the authority a very good one—I have no objection now to repeat and adopt the language which was so attributed to me. I was reported to have said that I was in favour of a just and equitable settlement of this matter, and that I thought such a settlement could only be arrived at by an arrangement between the two sides of the House; and, lastly, that the settlement ought to follow the lines of the 13th clause of the Act of 1891. I say this, because I think my right hon. Friend makes a mistake when he assumes that, in voting against the Second Reading of this Bill, I or any of my hon. Friends are committing ourselves to a *non possumus* attitude. For myself, at any rate, I will say that, although the Amendment of the hon. Member for South Tyrone has been withdrawn, not only do I approve of that Amendment, but I still adhere to it, both in the letter and the spirit. Of course, the Chief Secretary very fairly admitted that readiness to accept a just and equitable settlement did not necessarily commit anybody to the provisions of this Bill; and I think he would agree that the questions which it raises are of such supreme importance that the House must carefully and—if it be possible in an Irish question—impartially consider the consequences of the policy to which we are now asked to give our assent. We have had considerable experience of land legislation in Ireland, and I think we must all feel that great dangers beset the steps of the legislator—that such a thing as a final settlement is almost impossible; and that every interference

with the ordinary course of the law invariably brings with it a new crop of grievances and a new agitation. I say that in the present case our caution ought specially to be exercised, because this is a Bill containing provisions so extraordinary as to be justly called the establishment of a new precedent. I am perfectly well aware that the Chief Secretary and my hon. and learned Friend the Member for Haddingtonshire contended that they had found in previous land legislation the germs or suggestions of certain of the provisions of this Bill. But I am sure they will confess that, at any rate, even if a microscopic examination would show something of the same kind in previous legislation, it has been so extended and developed in this Bill that practically it is a novel principle. But, whatever may be said about the details of the Bill, there is one principle, as I am afraid I must call it—but one characteristic, at all events—for which, I believe, they will be utterly unable to find any precedent in any previous legislation. That is the characteristic or principle that the State is to reward those who have deliberately contemned its authority, and that it is to put the men who have, well knowing the consequences, violated their obligations, in a better position than the men who, often at very great sacrifice, have scrupulously fulfilled their obligations. I think that in those circumstances we are entitled to require from the Government that they should show, not merely a *prima facie* case, not merely a grievance, not merely a social difficulty, but an overwhelming case on which to rest such extraordinary legislation. And now I want the House to note what I think is very remarkable, and what will govern all I have to say on this occasion. I want the House to note the extremely narrow basis on which my right hon. Friend has put his whole case. He did not come to us and say, "Here are tenants whom I name or describe, who are suffering from some great grievance which requires the instant attention of Parliament." He did not even say, "Here are tenants in whose cases eviction was carried out with extreme harshness or injustice." On the contrary, he said that he did not desire to make any retrospect affecting the past; that he would not enter, and hoped no one else would enter, upon recriminations

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which could not be of any advantage. He based himself on the situation which the Government found, without reference to how it was made for them, whether by the fault of this House of Parliament or by the fault of the landlords or of the tenants; and finding this situation, which he thought constituted a grave social and administrative difficulty, he implored us to take the opportunity of the present tranquillity in Ireland to endeavour to heal the sore which he said was still running. Very well, Sir; but I must say, in passing, that my right hon. Friend did not adhere strictly to the principles which he laid down, and which he desired should govern the course of the Debate. He did not himself entirely abstain from recrimination, and he made one observation which, I think, he will regret, and which I hope he will admit was unnecessary and ill-founded. He charged the landlords with being, as a class, an irreconcilable class.

MR. J. MORLEY: No, Sir, I beg pardon. What I said was this. I expressed my regret that this Motion rejecting the Bill had fallen into the hands of the representative of an irreconcilable section. Of course, that implied that there are other sections which are not irreconcilable.

MR. J. CHAMBERLAIN: If I had thought that my right hon. Friend referred only to some small and indefinite minority I should not have taken any notice of the statement. But he went beyond that, and said that he would not inquire whether this minority, I suppose, was responsible for the disorder which had at various times prevailed in Ireland; and further, he said that there were only a few Irish landlords, and they were the exceptions, who were both humane and enlightened.

MR. J. MORLEY: No; I said that there were many who were humane and enlightened; but that I was afraid there were a few, and I hoped they were a few, who were neither enlightened nor humane.

MR. J. CHAMBERLAIN: I am delighted to have that explanation and development of my right hon. Friend's views. But what he said was that there were some landlords who were humane, but not enlightened; and others who were enlightened but not humane; and a small minority who were neither

humane nor enlightened. All I have to say is that an observation of that kind is ill-timed; for when you are asking the landlords of Ireland to make a further sacrifice of what every civilised nation has admitted to be the rights and properties of land-ownership you are imprudent if you accompany your request with what must be considered by a great majority of the class as a great insult and offence. And I say further that such an observation is one-sided, because if we are to go into this matter I challenge the Chief Secretary to get up and say that all the tenants of Ireland are enlightened and that all the agitators of Ireland are humane. What is the case that the Chief Secretary has to make out? He has to make out, in the first place, that there exists in Ireland in connection with the evicted tenants a social and an administrative difficulty of such magnitude that it justifies exceptional legislation. He has to make out, in the second place, that the legislation proposed is likely to be effectual, and is likely to be a final settlement of the question. In the third place, he has to show that in endeavouring to remedy the evil he has described he will not be creating still greater evils by this Bill. Now, Sir, I will take the first question. What is the magnitude of this social and administrative difficulty with which we are called upon to deal? The right hon. Gentleman tells us that since 1879 the total number of tenants evicted was 5,900, of whom 3,893 remain now to be dealt with. That is certainly a most extraordinary statement, and I do not know upon what authority it is given to the House. I think that I can show to the House that that statement requires further explanation, because in the Report of the Parnell Commission it will be found that the number of evictions from 1879 to 1886—that is only eight out of the 15 years—was 24,000. Those evictions have been going on ever since 1886. I am told that during the period of Office of the Chief Secretary himself more than 1,400 evictions—"sentences of death"—have been passed. But if that be so the total number of evictions must have largely exceeded 30,000, and yet my right hon. Friend says the total number of actual evictions was only 5,900. Of course, I am well aware that in many cases the persons who were formerly evicted may have returned as caretakers,

and may have redeemed their holdings. But I wish to put this dilemma before the Chief Secretary. Either the Chief Secretary was right in his statement that the total number of victims was only 5,900, or he is utterly, entirely, and hopelessly wrong on the subject, and the total number of evictions is enormously greater. In the latter case the whole of the right hon. Gentleman's calculations fall to the ground. It is perfectly ridiculous to suppose that under these circumstances even the additional sum which he expects to scrape out of the Irish Church Fund will be of the slightest avail to meet the case, or will enable him to deal with an evil of this magnitude. But if it be the case that by some explanation or by some information which is not in my possession that the right hon. Gentleman has convinced himself that he is right in his original statement, then what follows? It ought to make people really think about the exaggerations which attend all Irish affairs. Why, Sir, we have been deafened with cries and complaints about the evictions in Ireland, about the enormous number of families who have been turned out to starve upon the hill-side by cruel and wicked landlords. And what is the fact? According to the statement of the right hon. Gentleman himself, it is that during the last 15 years less than 1 per cent. of the total number of tenants of Ireland have been subjected from any cause whatsoever to eviction, and that the annual rate of the evictions has been actually not more than 1-16th of 1 per cent. This is the social and administrative difficulty with which we have to deal. I will undertake to say that there is not a district in England and Wales—there is not a town in England or Scotland in which the annual number of evictions does not enormously exceed the proportion with which we are called upon to deal. The Chief Secretary asked us to deal with a social and administrative difficulty. But the Bill goes a great deal beyond that. It deals with facts that may require attention, but which do not constitute a social or administrative difficulty. The right hon. Gentleman has admitted that the social and administrative difficulty is due to the presence of large bodies of evicted tenants in close proximity to their old holdings. No doubt that constitutes a difficulty with which the Government

have to deal. But the right hon. Gentleman proposes to deal with evictions from the year 1879 down to the present day. For the life of me, I cannot understand how he fixed upon that period. Why is a tenant evicted before 1879 less worthy than a tenant evicted after 1879, and, above all, why is a tenant evicted towards the end of 1895 less a subject for the consideration of this House than a tenant evicted at the beginning of 1895? In any case it is perfectly clear that with regard to the greater majority of the tenants with whom this Bill is going to deal, they do not constitute a social or administrative difficulty. There may be cases of hardship among them, of harsh eviction of persons for whose position the House may well entertain the greatest sympathy, but they are not the difficulty upon which this Bill is based. What is to become of the tenants evicted in 1879? Many of them have been absorbed in the population; others have got holdings elsewhere; others are acting as labourers; and what will be the effect of introducing them into this Bill? It will be that you will stimulate them to create a difficulty which at present does not exist. [*Opposition cheers.*] So far as the great majority of those who are dealt with in this Bill are concerned, there is no difficulty at all; and the difficulty will only arise if they are included in this measure; and if they are led to believe that, no matter the circumstances under which they were evicted, no matter what may be their present position, they may have a chance, if they only try for it, of their being reinstated on their own ancient holdings. Under these circumstances, I say let the House understand that the social and administrative difficulty exists solely and entirely in connection with the Plan of Campaign tenants, and this is a Bill for dealing with the social and administrative difficulty created by the Plan of Campaign. That ought to have been fairly stated, but it is hardly right to attempt to persuade the House that it has anything whatever to do with the case of tenants evicted in 1879 and subsequent years. Without the Plan of Campaign I am sure the Chief Secretary would not have come forward to propose this legislation, and it is, therefore, with those tenants alone that we have to deal in seeking to discover whether or not

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this difficulty is of sufficient magnitude to justify legislative interference. Of the total number of tenants of the Plan of Campaign there were 1,403 evicted. Of those, up to the date of the Mathew Commission, 409 were reinstated and 994 were then out. But since then a very large number of them have, in one form or another, been reinstated. My hon. Friend the Member for South Hunts made a most interesting speech on Friday night when, I am sorry to say, the House was very thin, and he spoke not only with a great knowledge of the subject, but also, I think, with a sympathy for the evicted tenants which must have been appreciated by any of the Irish Nationalist Members who listened to him. What did he say? He said he had returns of a large number of derelict farms, and out of 312 cases of which he had returns more than one-third had been re-occupied by old tenants in the course of 12 months. What follows from that? If the same rate may be relied upon in regard to other derelict estates and generally in regard to these evicted tenants, it is perfectly certain not only that the number of 994 has already been very largely reduced, but I think we may anticipate in the ordinary course of things that it will be still further reduced, and that only a small proportion will ultimately remain to be dealt with. Under the circumstances, surely there is no sufficient case made out to induce this House to enter upon a course of violent interference with the ordinary law. I am not denying that you may have a case for interfering to increase the facilities for reinstatement by voluntary arrangement. The hon. and learned Member for Haddingtonshire referred in very complimentary language to an article which had been written by Lord Monteagle, who is, I suppose, a landlord who may be fairly considered to be both humane and enlightened; and he quoted the language of Lord Monteagle as justifying this Bill. But, with a most curious absence of mind, he forgot to tell the House that Lord Monteagle concluded with certain recommendations, and his recommendations were not for the formation of such a tribunal as is contemplated in this Bill and for compulsory settlement, but for voluntary settlement by a Board of Conciliation. If the hon. and learned Gentleman will be satisfied,

not only to quote the arguments of Lord Monteaigle, but to accept his conclusions, then indeed I think, in the sense of the words which were attributed to me by the reporter, that we might be in sight of a just and equitable settlement with the common consent of both sides of the House. But I say, on review of this branch of the question, I deny that the Government have shown sufficient cause for this compulsory interference with the law, and I am forced to the conclusion that the Bill is called for not by any social or administrative difficulty, but by political and Parliamentary exigencies. But now, Sir, suppose we pass that; we have to consider, in the second place, whether the provisions of this Bill constitute an effectual and a final settlement of such difficulty as there is? Well, Sir, my right hon. Friend has, I think very justly, very properly, and very wisely placed in his Bill a great number of conditions and provisions, intended, as I suppose, to protect the landlords and the new tenants from arbitrary interference. I do not think that any fair-minded man could possibly have introduced a Bill of this kind without such safeguards. Assuming, however, that the safeguards are trustworthy, I would ask my right hon. Friend who are the tenants who are going to be relieved? The Government appoint a tribunal of the most extraordinary character, with the largest powers and the widest discretion. It is an arbitrary tribunal which is intended to administer a sort of Oriental justice, and that is defended, forsooth, by a great English lawyer like my hon. and learned Friend the Member for Haddingtonshire. I should say that the summary justice of the Oriental has some advantages. It is prompt, no doubt, and it is cheap, because, as it does not in the least depend upon law, the parties in the case can always dispense with legal assistance. It has its disadvantages also, and everything depends upon the character and impartiality of the Judges. My right hon. Friend assures the House that the three gentlemen he has named are absolutely impartial. I am not going to enter upon a personal discussion of gentlemen with whom I have very small acquaintance, and I will assume that that is true, and that you have found in Ireland three absolutely impartial men. I thought it was impossible; but I will assume that the Chief Secre-

tary has discovered in Ireland these three *lusus in naturâ*, these three black swans, and has been able to put them on his tribunal. But, then, if so, does he believe that these three gentlemen are going to say, in the case of tenants who have been turned out of their holdings because of their refusal to pay the judicial rents when they had money in their pockets, that theirs affords a *primâ facie* case for reinstatement? And if not, where on earth is the relief coming in? Is there any man who knows anything about these Plan of Campaign estates who would be prepared to say that an impartial tribunal could hold that there was a *primâ facie* case for reinstating the tenants on, for instance, the Tipperary estates? Those tenants, and many others like them, went out, having a fair and liberal landlord, not because they had not fair rents, but because they resented the interference of the landlord in a matter in which they did not recognise the right of the landlord to interfere. That was their own confession. Does any man pretend to tell me that theirs is a *primâ facie* case for reinstatement? Take the case of the Luggacurren estate. Anyone who is not blinded by Party malice—[*Nationalist cries of "Oh!"*] Of course, I excepted hon. Gentlemen opposite. In that case the tenants did not go out because they themselves complained of the rents they were called on to pay, but they were I will not say forced, but induced to go out in the interests of a political organisation. I am only arguing in this way. If your tribunal is impartial all these cases will at once be excluded from their decision, and where, then, is your effectual and final settlement coming in if at one blow you strike out every case where the deserts of the tenants have not been established? Moreover, if you get over that fence, there is another obstacle—another ditch behind to be cleared before advantage can be taken of this Bill. Every tenant applying to the tribunal will have to show that he has not unreasonably refused an offer made by the landlord. But it is proved—it was proved before the Mathew Commission—that in some of these cases the tenants were perfectly willing to go in on the terms which their landlords had offered and were only prevented by the policy of the Plan of Campaign. Is that a case

in which it can be contended that the tenants have not unreasonably refused an offer made to them? Then, again, I understand the right hon. Gentleman has given an absolute veto to all proceedings to the sitting tenant in all cases in which the planter tenant has taken the land. I understand him to provide that the planter tenants can exercise their voluntary wishes in the matter. Suppose that is true, may not a considerable number of them stick to the land? They have spent money on the land. [*Cries of "No!"*] Many of them are doing well on the land. [*Renewed cries of "No!"*] There is no certainty that any of them will get compensation for their loss if they leave their present holdings, and if they decide to leave there is no certainty that they will find land elsewhere. I say, therefore, that if these men are really left free to decide for themselves, a large number of them will retain their holdings, and, in all such cases, the Bill provides no relief of remedy whatever. There is another class of cases—namely, that of tenants who left their holdings, not because they would not, but because they could not pay their rents. These are people for whom, doubtless, one would feel sympathy. But is it at all certain that one would be conferring a benefit on them by returning them to their holdings? If they were insolvent then, they would be insolvent now. How are they to be provided with capital to work the land which they could not work at a profit before? The Chief Secretary appreciates the difficulty, but what answer did he make? He actually told the House that he did not know how the thing was going to be done, but, somehow or other, he hoped that these men would pull through. What an extraordinary expectation on which to found important legislation! That is not statesmanship. That is a happy-go-lucky way of dealing with a difficulty which would be worthy of Mr. Micawber. I cannot see the slightest ground for expecting that men who—perhaps because they were not so industrious, perhaps because they were not so clever, or perhaps because they were poorer than their fellows—did not make it pay before they were evicted will, if again placed upon the land where they have already failed, pull through and make a success of it. The

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result of my argument is that all this novel and complicated machinery is to be established to obtain a result, when you come to look at it, that must, from the nature of the case, be perfectly insignificant. Deduct from your total of 994 the tenants who will not prove a *prima facie* case, the tenants who will be shown to have refused reasonable offers, and the tenants refused re-admission by the planter tenants, and I undertake to say that this Bill, if properly administered, will not provide for 250 out of the total of nearly 1,000 cases. Then, is this going to be a final settlement? Can it be a final settlement? Can a Bill which, while professing to settle the question, deals only with the fringe of the matter be expected to provide a final solution? Only a small minority would be re-established by law, and those who are not re-established would have a greater grievance than ever. They would say, "What the law has done for you it should do for us, and if it does not we are justified in continued resistance." If the Chief Secretary had any doubt whatever on the subject, I should like to refer him to what was said by the hon. Member for the Harbour Division of Dublin on the occasion of the introduction of the Bill, and to which the hon. Member said, on Friday night, that he adhered. He said that this Bill was only tinkering legislation, and that it would be a new incentive to crime and disorder. And yet it is for a Bill which is so described by the Representatives of persons who are to benefit by it that we are kept here late into the summer, and it is by such a Bill as this that the right hon. Gentleman hopes to deal with a great social and administrative difficulty. I would ask another question. Suppose you were really able, by means of this Bill, to reinstate every tenant evicted since 1879, would that close the question? What is to become of the tenants after they are reinstated? Suppose, after they have been reinstated, that they cannot pay their rents, and are again evicted, are you to have a new Bill to reinstate them again? And if not, why not? How do you propose to distinguish between a man who was unable or unwilling to pay his rent before 1879 and a man who is unable or unwilling to pay his rent after 1894? What possible logical ground can you lay down, if we

accept this legislation, which will prevent us from being pressed to extend it to subsequent evictions? It appears to me that if you accept the principle of this Bill you may as well go further at once, and say, as the Member for the Shipley Division would say, that rent in Ireland is really only a voluntary performance—that it is a matter that a landlord may expect from the courtesy of the tenant, but cannot claim from him as a right. Short of this, I cannot see how you can deal with this question as my right hon. Friend proposes. Will not this Bill, if accepted, inevitably lead to greater evils? The first evil is to be found in the condition in which you are going to place the sitting tenants—these men who are called “land-grabbers,” and who are constantly spoken of as enemies of the human race; who are threatened daily by hon. Gentlemen opposite, and whose lives would not be worth a moment’s purchase but for the assistance of the Government in Ireland. What is going to be done under this new state of things? Do you want to know? You have only to read the warnings—I will not call them threats—of the Parliamentary correspondent of *The Irish Daily Independent*, defining the alternatives which lie before the taker of an evicted farm. In the issue of that paper of April 24 he thus describes the situation—

“Under Mr. Morley’s Evicted Tenants Bill the only thing that is sacred is the right of the grabber to seize on other men’s property, and, under the sanction of English-made laws, hold it to ransom. The land-grabber in Ireland is a legalised brigand, who, under favouring circumstances, may either retain the property of the evicted tenant in his own possession, subject to the argument of the blunderbuss, or he may ransom it, if he is wise enough to prefer the solid compensation of a certain amount of coin of the realm to the possible settlement by a certain amount of buckshot. That is the situation created by Mr. Morley’s Bill, put into plain language.”

Yes, Sir, I am afraid that, put into plain language, that is the situation to be created by this Bill. I could give other quotations; but, as the views expressed do not depend upon individual authority, but upon the probabilities of the case, I do not stop to give them. The Chief Secretary did not say that these people would not be subject to terrorism and hold their lives in their hands, but he argued, will not they be in a still worse

position if nothing is done? My right hon. Friend professes that the Government are saving them from a greater evil than they are suffering from at present. But the writer I have cited implies that the difficulty is created by the Bill of the Chief Secretary. By this Bill the evicted tenants are taught that they have a right to the land. The Bill puts the planter tenant in the wrong, and suggests the pressure that should be brought to bear upon the planter tenant, in order that he may leave the land. I think that no one who knows anything about the history of evictions in Ireland will controvert that if the Bill passes, whatever may be the danger under which these men lie at the present time, it will be immediately and from that day enormously increased. I think that is a great evil. I utterly dissociate myself from the language used with regard to these men. They are good citizens, and I want to point out to the Representatives of the British taxpayers what it is they are doing when they sympathise with the evident feeling of hon. Gentlemen opposite with regard to these men. The only fault of these men is that they are willing to take land and pay rent which the previous tenant refused to pay for it. You are going by this Bill to make their position intolerable and impossible. You are going indirectly to justify the language used about them by hon. Members opposite, and you are going to say that in your opinion they are legalised brigands. What is going to be the result? You are, as Representatives of the British Parliament, the largest landlords in Ireland at the present time, and you are going to be larger. You have lent your credit, and will be practically the owners of the land until that has been exhausted and repayment made, and you are going to teach the lesson that if any tenant refuses to pay you your rent, then the man is a legalised brigand who comes in and takes the land from you and pays the rent. Then you are going to do another thing; you are going to demoralise the honesty of the men, and what sort of example are you going to set to the men who happened—often, no doubt, with extreme difficulty—to pay their rents and fulfil their obligations? You are going absolutely to place the man who refused to fulfil his obligations, even when he was able to do



so, in a better position than the man who has fulfilled his obligations. What sort of lesson is this, for instance, for the Protestant tenants of Luggacurran, Lord Lansdowne's estate? In the case of those evictions, what was one of the most striking features? That not one single Protestant tenant went out; not one single Protestant tenant failed to pay his rent, nor has done so up to the present time. But now what are you going to do? You are going to say to him, "The man who refused to pay his rent, the same as you are paying, him we are going to lend the money of the State to, put him back upon the land, and give him a new fixed rent at a lower rate and under conditions which will give him the advantages of a lower rent than you. You, as a reward for what you have done in the service of good order and the State, are to continue to the end of the term to pay the higher rent, and are not to have any assistance from the State." That justifies the threats that were used to these tenants in the heat of the agitation. Here is what the Rev. Father Hughes said of them at a meeting on December 15th, 1888. He said—

"Where are the Protestant farmers of this parish? Are they here to-day as they ought to be? No, they are not. . . . I say they are contemptible dastards; and I say they are imbeciles if they hope that by-and-by, when the fight is over and the battle won, their refusal to help us shall not be remembered."

I quite agree with Father Hughes, and if really this Government is to carry out its policy and place these men, their neighbours, who have failed to fulfil their obligations, in a better condition than the Protestant farmers, then I shall say they were imbeciles, and they ought to have trusted to the League more than to the British Government. There is one other point. I do not want to enter upon a course of recrimination, but we cannot altogether leave out of sight the circumstances under which these evictions were necessary, and I want the House to consider what is going to be the consequence of whitewashing the Plan of Campaign. What was the Plan of Campaign? We heard a very imaginative account given by one of the authors of the origin of that Plan. I do not think it necessary to follow him, although I could not accept it as an accurate statement. But we were told by the hon. Member for the Harbour Division, who, I think, has not

been always a strong supporter of the Plan, and not committed to it himself. [*Laughter and "Oh, oh!"*] Well, I do not know. If he was, I am very sorry; I was only anxious to do him justice. But, at all events, he made this excuse for it on Friday night. He said—

"It was a terrible necessity, but it was imposed upon us by the refusal of the House of Commons to pass Mr. Parnell's Bill to deal with the leaseholders and tenants who had their rents fixed in the early stage of the proceedings."

Well, Sir, is that an accurate statement? Has not the memory of the hon. Member played him false? I appeal from him to an authority that I think he will be perfectly ready to recognise as greater than himself. I appeal to Mr. Parnell. What did Mr. Parnell say about the Plan? He was speaking in 1891 in Listowel, and he said—

"This struggle of the Plan of Campaign was commenced, not for the benefit of the tenant farmers, but for the benefit of an English political Party. That was one of the motives, and one of the strongest motives, that produced this movement, and I said it was a false and foolish motive. These men should not have been urged to leave their holdings because certain English Members said it was necessary to show that the Irish people were fighting Balfour. Why did not these English Members come over to Ireland and fight him for themselves? Why should our farmers be evicted in order to show the English people that we were all to fight Balfour? Why should we be obliged to fight Balfour and the English Tory Party at the cost of sacrifices and sufferings which our allies, the English Members, cannot incur or take part in?"

I do not think it is very easy for any hon. Member to get over that statement of Mr. Parnell. It is perfectly well known and has been admitted, at all events, by some of those who have been most prominently connected with this movement, that it was in its inception a political movement intended to upset the policy of coercion, and above all to upset the Government of which my right hon. Friend the Leader of the Opposition was so distinguished a Member. Under these circumstances we are dealing with a Plan which, whatever its merits may be, was, at all events an illegal Plan. It was not approved of by Mr. Parnell or by many other leaders of the movement; it was denounced by the Roman Catholic Church, and it has not had the support in this House or elsewhere of any single responsible English Leader, unless, Sir, I can make an ex-

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ception in favour of the President of the Local Government Board, whom, I hope, we are to hear in the course of this Debate, and who, no doubt, will show his sense of responsibility by explaining how it was he promised these tenants they should be reinstated three months after his Government came into power, and has remained in power himself two years and has only just now begun to think of them. I say, then, it is quite too late to be going back upon the opinion which was generally formed as to the morality and legality of the Plan of Campaign. That has been settled for us, and if now you are going to relieve the tenants altogether and by law of the consequences of their own acts, if you are going to relieve their advisers of their own responsibility for the advice which they gave, one of two things follows—either at this late moment you are going to justify the Plan of Campaign, which you have always condemned; either you are going to say the tenants who took part in it were persons worthy of special consideration and entitled to the sympathy of this House; or, on the other hand, you are going to make a confession which, to my mind, would be a more shameful confession still—that is to say, that the Plan of Campaign was too strong for you, and that the social and administrative difficulty which it has created must now be disposed of by a complete surrender to its authors. I cannot believe the House of Commons will consent to adopt either of these alternatives. I say this Bill is not a just Bill, not an equitable Bill, and it will not be a final settlement. It is not, as I have shown, a Bill which is intended or calculated to meet a social or administrative difficulty, although it may have been imposed upon the Government by political reasons, and I think the House is not called upon to interfere now to relieve the agitators from the discredit and embarrassment into which they have brought themselves; and it is not called upon to interfere to relieve tenants who have deliberately faced the consequences from the results of their own action. There are, however, I am ready to admit, certain classes of tenants who may be deserving of consideration. I think it was the hon. Member for the Harbour Division of Dublin who spoke of cases of harsh and unjust eviction. I do not suppose there are very many of

these, but, let them be few, or let them be many, by all means, if you can define what constitutes the hardship and injustice of these evictions, let us take steps to see that they are again investigated and a remedy is found for the grievance, if it be proved to exist. But there is no necessity for a compulsory interference with the existing law in order to secure that result. Then I will admit, and I know, that there have been a considerable number of Plan of Campaign estates who have not willingly followed the Plan of Campaign, but who have been forced into it under fear for their property and fear for their lives. And there is a third class, which is, perhaps, not so deserving, but which is still much to be pitied, and that is the class of those who were duped by the encouragement given to them by English Members travelling in the country, and by the mis-statements that were made to them by Irishmen in whom they placed confidence, and who, accordingly, through ignorance, were led away to take this course which proved so disastrous to them. In all these cases by all means let us agree to facilitate voluntary arrangements. If it be necessary to find some money for the purpose—and I believe money is always necessary in Ireland—I can take no exception to that wonderful Irish Church Fund, which is like the widow's cruse, always being depleted and never empty—I cannot conceive a better course can be taken than to use it for this purpose. But let me observe that, when we are told that in dealing with this fund we are dealing with a fund which is exclusively Irish, and with which we have no concern, that I do not altogether agree in that view. The Irish Church Fund has been appropriated by Parliament to public purposes in Ireland; but if it be taken now for a new purpose, which was not contemplated at the time, some of the old purposes are likely to lack encouragement, and under these circumstances it will be very odd, indeed, if an appeal is not once more made to the British Parliament, and the British taxpayer is not called upon to meet the deficiency; therefore, I do think we have got an interest—it may be indirectly—in the proper application of this fund. Still, under the circumstances, with the view, at all events, of facilitating the object which the Chief Secretary has in view, I should see no

objection to the re-enactment and the extension of the 13th clause of the Act of 1891, and to supporting and enforcing the provisions of that clause by the assistance of such funds as may be provided for the purpose. But, Sir, I may go further than that—it would be a great mistake. If we go forward with this Bill we shall be encouraging resistance to the law. It will be a fatal lesson to teach to any people—that the man who breaks the law or takes it into his own hands has only thereafter to make himself sufficiently unpleasant to induce the British Government, for the sake of its own ease and tranquillity, to interfere and protect him from the consequences of his action. If we are to lay down a lesson of that kind I am sure it will be more fatal and more disastrous than anything we have now to deplore, and under these circumstances I shall vote against the Second Reading of this Bill without the slightest hesitation.

\*MR. T. M. HEALY (Louth, N.): The career of the right hon. Gentleman who has just sat down is so cankered with inconsistency that the House may well believe it difficult to convict him of anything more varied than what we are already familiar with; but I will undertake, under the hand and seal of the right hon. Gentleman, that in everything he accuses the right hon. Gentleman the Chief Secretary of being guilty of he is tenfold deeper dyed in guilt. The right hon. Gentleman has told us there is no precedent in this House and no precedent in British legislation for such a Bill as the Chief Secretary has proposed. Yes, Sir, there is a precedent, and a precedent drawn by the right hon. Member for Birmingham, and I will contrast the Morley Bill with the Chamberlain Act, and ask this House to tell me which is the more extraordinary measure. Before the Plan of Campaign there was such a thing as the No Rent Manifesto. Before the Evicted Tenants Bill there was the Arrears of Rent (Ireland) Act, 1882; and I will show the House from its provisions that, as compared with the revolutionary proposals adopted, voted for, drawn—I may say drafted—by the right hon. Gentleman himself on the very morrow of the Kilmainham Treaty, that the present Bill of Her Majesty's present Government sinks

into absolute insignificance. What was the Arrears Act of 1882, and what was the position at the time? We have heard of the crimes of the Plan of Campaign. The crimes of the Plan of Campaign are eight years old, but not eight months had elapsed between the issue of the No Rent Manifesto of 1881—in October, 1881—and the time when the right hon. Gentleman brought in the Bill which I will now read to the House—a Bill not to take £100,000 or £250,000 from the Irish Church surplus, but to take £1,500,000, not only from the Irish Church Fund, but to take any contingent liability from the Consolidated Fund if the £1,500,000 should prove insufficient; and there was an Amendment by the Tory Party of that day, moved by Mr. Sclater-Booth and opposed by the Member for Birmingham—

“That, in the opinion of this House, it is inexpedient to proceed with any Bill to create a charge upon the Consolidated Fund except by way of loan.”

And who were the guilty people in whose interest this Bill was passed, supported by the entire Liberal Party, supported by the right hon. Gentleman the Member for Bodmin (Mr. Courtney), by his other right hon. next-door neighbour the Member for Bordesley (Mr. Jesse Collings), and by the whole retinue of the right hon. Gentleman the Member for Birmingham? The farmers who refused to pay rent because of the No-Rent Manifesto. Was it a Bill as moderate as the Bill of the present Government? Was it a Bill that took note of the land-grabber? No, Sir; it swept the land-grabber, root and branch. Was it a compulsory Bill? Yes, Sir; in every respect. It took no note of either the landlord or the grabber, and the right hon. Gentleman who now talks of the crimes of the Irish tenantry, and of the disgrace it would be to desert the honest men who are in these evicted farms, and of the bad example it would give the Protestant tenants who had paid their rents—I heard all these arguments from the Tories in 1882—he then came forward and supported the measure. I wonder does the right hon. Gentleman remember the day before the Bill was introduced, and while Mr. Parnell was still in prison—does he remember the interview he had with Captain O'Shea and another gentleman in his own room on the subject of the Arrears of Rent

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Bill? And yet he is the right hon. Gentleman who comes forward to-day, more Tory than the Tories themselves, to denounce the Bill which is to be administered by Mr. Piers White and Mr. Greer, two Unionists, and Mr. George Fottrell, who generally is regarded as a landlord representative. At any rate, with regard to a moderate provision of that kind, which does not touch the grabbers, which gives the landlords the power of going before that tribunal and arguing their case, the right hon. Gentleman objects. What are his own words, if his words are now of any value. He says that "the law should not reward those who deliberately contemn its authority." What did the No Rent Manifesto do? It ordered the people not to pay any rent because the right hon. Gentleman put Mr. Parnell in gaol. The Plan of Campaign, a very limited instrument indeed, said that upon particular estates the tenants were to bank the rent, less the amount of reduction they claimed, until the landlord was willing to take it less that reduction. The tenants under the first plan were evicted wholesale. The right hon. Gentleman, at any rate, could not complain that there were few evictions in the year 1881-82. There were enough to satisfy the most grasping maw. Well, here is the provision of Section 2 of the 45th and 46th Victoria, cap 47 :—

"Any tenant evicted from his holding for non-payment of rent, or whose tenancy has been purchased for the landlord at any sale by virtue of any writ of execution obtained by the landlord for arrears of rent due in respect of such holding, may, if his landlord agrees to reinstate him——"

I thought there would be a cheer at that point—

"apply, with the consent of his landlord, in the prescribed manner during the time limited for application under this Act, and the Land Commissioner, under this Act, may make an order under this Act in the same manner as if he had not been evicted from his tenancy, or his tenancy had not been sold."

Not a word there about the poor planters—those honest and excellent men who came to help the landlord in his emergency. But suppose the landlord did not agree; suppose he was of the opinion of the Member for Birmingham, that it would be fatal in the interest of the Irish tenantry to give these dishonest ruffians encouragement. What did the Bill, the

Chamberlain Act, do? It provided that—

"Any tenant evicted for non-payment of rent, whom the landlord does not agree to reinstate, may apply during the time limited for application under this Act to the Land Commission to make an order, and they may make an order under the Act in the same manner as if the tenant had not been evicted."

That is, that application having been made to the Court, the Land Commissioner might deal with the case as if the tenant had paid all arrears of rent up to the last gale in the year expiring, as mentioned in the Act. That was the case of the man whose six months for redemption had expired, not as from the 1st of May, 1879, not from whatever date might be named in the Bill, but from the date he first took the farm—it may be 40 years before. He was to be treated as if all the rent had been paid up to the last gale day, because on paying a year's rent the State would give another year's rent, and the man would be reinstated. But if his tenancy had expired on or before the 1st of May, 1879, what happened to him? The Chamberlain Act provided that if he was even six or eight years, or even 26 or 28 years, out of possession, he might apply to the Land Commissioners, who might enlarge the time for redemption (which had already expired), and thereupon he should be put into the same position as if he were not evicted at all. I only wish the Government would give us the Chamberlain Act again. And why are we not to have it? The right hon. Gentleman the Member for Birmingham has quoted for our information a statement of the Member for the Harbour Division of Dublin (Mr. Harrington), who says the present Bill is insufficient. I suppose the right hon. Gentleman had some slight casting back of his mind to his own Bill, which took no note whatever of this provision about the grabber which is in the Bill of the Chief Secretary, and yet, Sir, that is the right hon. Gentleman who has the face to stand up in this House and charge the Government with having brought in a revolutionary Bill, its only fault being that it is not half strong enough or half as revolutionary as his own. Then we have the usual pharisaical attack on Irish Members from the right hon. Gentleman.

COLONEL SAUNDERSON: Will the hon. Gentleman read the clause in the

Act to which he alludes which contemplates the turning out of the new tenants?

MR. T. M. HEALY: Give me the section.

COLONEL SAUNDERSON: There is no such section.

MR. T. M. HEALY: The Act takes no note of the new tenant. It assumes he is like the snakes in Norway. It simply says the old tenant is to be reinstated.

COLONEL SAUNDERSON: What about the new tenant?

MR. T. M. HEALY: He is to go. There is no mystery about this. It is an Act of Parliament. I would like to hear even the Member for Bordesley on this. I only give the Statute plainly. There is no Birmingham construction applicable to Acts of Parliament.

COLONEL SAUNDERSON: But will the hon. Member read the clause about the new tenants?

\*MR. T. M. HEALY: There is no such clause; but if I am to be challenged, let me be challenged by a lawyer, although I have no fault to find with the hon. and gallant Gentleman if he is not able to follow the drafting. It was not our drafting; it was the drafting of Her Majesty's Government of the day, of which the Member for Birmingham was a Member. The right hon. Gentleman did not escape taunts altogether, because there was a gentleman in that House named Mr. Gorst—he believed he was not known as Mr. Gorst now—and he seemed not to have any fear of the Member for Birmingham before his eyes, because he seems to have twitted the right hon. Gentleman and taken him to task. There is a brief quotation I will make from this gentleman's statement, made on May 22nd, 1882. It will be found on page 1326 of *Hansard*. He made a speech very much like that we heard just now, so I will not trouble the House with it, and he asked—

“What right had the Government to take the taxes of the people, paid with great difficulty and self-denial, and make a present of them to Irish tenants and Irish landlords? That was a real hardship. When it was a question of granting compensation for cattle slaughtered in connection with the cattle trade, the right hon. Gentleman the Member for Birmingham (Mr. Chamberlain) was very angry at the suggestion that money should be paid out of the Consolidated Fund for such a purpose. The words of

the right hon. Gentleman were: ‘I have a very great objection to the proposal contained in the Bill, that compensation in the case of the cattle trade should be paid out of an Imperial Fund;’ and I will repeat the words of Sir George Grey, which, to my mind, are conclusive. With regard to the payment from the Consolidated Fund, Sir George Grey said: ‘That the principle of applying the Public Funds to compensate private loss was an extremely dangerous one. Nothing was more likely to lead to reckless expenditure than to use the bottomless purse of the nation for such a purpose.’ He (Mr. Gorst) should like to know how after that the right hon. Gentleman could be a party to this Bill?”

That was what Mr. Gorst asked in 1882, and the right hon. Gentleman was a party to the Bill. I expected to-night to have heard from the Member for Birmingham some explanation of the difference in his position which enabled him in 1882, six months after that criminal conspiracy known as the No-Rent Manifesto had blossomed, as we were told by the Tory Party, into murder and so forth, how he could have supported the Arrears Bill, with its £1,500,000 out of the Church Surplus and an unlimited pull at the Consolidated Fund and with its absolute expropriation of the grabber, while now he is unable to support the moderate proposal of the right hon. Gentleman the Chief Secretary. I would advise the right hon. Gentleman, whose career is not entirely free from inconsistency—I would advise him for the sake of his own position in a case of this kind to do what we are sure to do—namely, to read up *Hansard* with regard to his own votes and performances. He will then see how he lays himself open to certain charges. The right hon. Gentleman has said that the Bill of the Chief Secretary will deal with a small proportion of these evictions. I quite agree that, as compared with the number of cases to be dealt with after the No-Rent Manifesto of 1881, this Bill is necessarily a small measure. But he has told us that there are now fewer evictions than there were before, and that it was surprising that the Irish tenant could be found to be evicted. I think he said that 1-10th or 1-16th of 1 per cent. were evicted. For an explanation of that perhaps he will allow me to refer him to the Member for South Tyrone, who, in a speech in this House on the 21st of March, 1888, made the following remarks:—

“Everything that was done in the past for the tenants had been done against the protests of

*Colonel Sanderson*

the Irish landlords. He voted for the 7th section of the Act of 1887"—

that is what we call the "eviction-made-easy clause"—

"because he trusted in the discretion of Irish landlords. But he would not be caught trusting in it again. Five thousand notices of eviction had been served by registered letter under that section. He did not believe that would result in eviction; but the tenancies were absolutely determined, the tenant's rights and interests were destroyed, and his improvements were confiscated."

Let me tell the right hon. Gentleman why there are fewer tenants actually out of possession to-day than there were in 1882. First, because his own Arrears Act of 1882 ended in the restoration of enormous numbers of these evicted tenants. That is the first reason. The second is because, owing to the position taken up by the Tory Party under the Land Act of 1887, the Tory Party found it more convenient, because it was said the evictions were doing great mischief in England, instead of physically ejecting the tenant with crowbar and Sheriff, to turn him into a caretaker by the aid of the 7th section and a registered letter, and that is the reason why there are not so many people physically out of possession to-day. But what is their position? The landlord does not necessarily want to get rid absolutely of his tenants if he has any hope of getting some rent; but he keeps him at his mercy; he reduces him to the position of caretaker; he has him liable to pay whatever rent he can screw out of him, and, that is the reason of the difference in his position which the right hon. Gentleman found so difficult to explain. He opened his subject with the observation which, I think, shows the difference in position between Irish Members and English Members in their dealings with our country. He said you should take warning from the fact that interference with the ordinary law in these Irish Land Acts always brings a "fresh crop of grievances and a new agitation," and that sentiment was loudly cheered by his friends on the Tory side. I would put the position in exactly the opposite form. What is our position? In 1881 you passed a Land Act, and you refused to take our advice and include the leaseholders. Did not that refusal necessarily produce a fresh crop of grievances and fresh agitation? The Tories themselves, though swearing they would never con-

sent, brought in the Bill of 1887, and I heard the right hon. Member for East Manchester (Mr. Balfour) taunting the right hon. Member for Midlothian on one occasion that they, the generous Tory Party, were those who had included the leaseholders, while the Member for Midlothian had not that much generosity in 1881.

MR. A. J. BALFOUR: I did not.

MR. T. M. HEALY: I beg your pardon, but I heard you.

MR. A. J. BALFOUR: I never did.

\*MR. T. M. HEALY: The right hon. Gentleman contradicts me, and as the point is hardly worth while I will not insist on it. At any rate, the right hon. Gentleman asked why the Liberal Government did not include the leaseholders in the Act of 1881. I will tell him; because the Tory Party would not let them. The Member for Manchester, at any rate, will not deny that he it was who put down an Amendment to omit the fair rent section of the Act of 1881. But what did the Tories do in 1887? They admitted the leaseholders who had a 99 years' lease, but they refused to admit the long leaseholders. That produced a "fresh crop of grievances" and a fresh agitation. They would not take our advice; they would not even take the advice of the Member for South Tyrone, one of the agitators on this question. I wish the Member for Birmingham was present at the Land Acts Committee upstairs, for I think he would say "What a furious agitator the Member for South Tyrone is!" After numbers of these leaseholders had been evicted what did you do? In the year 1891 you brought in a Bill to deal with those long leaseholders, and of all the jokes in the form of a Statute that ever passed this House the Redemption of Rent Act, 1891, is probably the foremost. You should read Lord Salisbury on it if you want to understand it. He forgot he passed the measure, and when the Member for South Tyrone the following year brought in the inevitable amending Bill—you must always have an amending Bill to an Irish Land Act, just as there is a tail to a comet—you must have half-a-dozen minor Acts—when the Member for South Tyrone brought in his Bill to amend a few little minor defects of Tory legislation it was passed through this House unanimously; but when it came under

Lord Salisbury's notice upstairs he said, "Bless me! what is this?" I am sorry I have not with me a copy of the observations of the noble Marquess; but, as well as I remember, it was this: that a more extraordinary Bill than the Redemption of Rent Act—

\***Mr. T. W. RUSSELL:** I think it is only fair to say that Lord Herschell's observations were as strong as those of Lord Salisbury.

\***Mr. T. M. HEALY:** The Government of Lord Herschell allowed the Bill to be read a second time in this House. Lord Herschell's observations are not on record, but Lord Salisbury's are. He said—

"I do not know how the Act of 1891 managed to struggle through. It was not a Government measure."

What is the result that the Redemption Act produced? To use the words of the right hon. Gentleman (Mr. J. Chamberlain) the result was "a fresh crop of grievances and fresh agitation." And we are now considering upstairs in a very lively Committee what the Member for Birmingham would no doubt call materials for fresh agitation. And here is the position 12 or 13 years after the Act of 1881 had passed, when you rejected, when you mowed down by the regiment every Amendment proposed by the tenants' Representatives in this House, Amendments which were calculated to confer important benefits on the tenants. But, with halting gait and limping step, you bring forward your Bills of 1887, of 1891, and of 1893, and afterwards you honour them by a Committee appointed upstairs to consider the grievances resulting from the rejection of Irish advice at the time. The right hon. Gentleman the Member for Birmingham asks whether this Bill is necessary. I must say that the fashion of this House in dealing with Irish land legislation almost drives any man acquainted with the subject to despair. For years we have been knocking at the door of this House for some remedial measures. Year after year you refused them, and year after year these tenants are being thrown out on the roadside in consequence. This Bill has been described by the Member for Birmingham as a Bill dealing with the victims of the Plan of Campaign. I deny it. I say that for one tenant evicted owing to the

Plan of Campaign there were scores of tenants evicted because you refused to do justice to them in this House. And even the tenants who were entitled to come in under the Act of 1881, when did they come in, many of them? Were I to detain the House reading letters on the subject I could produce them by the bushel. What are the facts? That some of the tenants in whose interest you passed the Act of 1881 did not come before the Court, and were not able to come before it until 1886. It took them five years before they could get a fair rent fixed and during those five years, while the Land Courts were glutted and blocked by applications, many of the tenants were evicted for non-payment of the old rent. They were evicted by the score, and by the hundred. You held out terms of relief to the tenants, as the water to Tantalus, but the tenants were absolutely unable to obtain the benefit of it. The Member for Trinity College (Mr. Carson) the other night made a very able speech on this Bill. He gave a number of instances of what he called great hardship to the landlord. I wonder does he remember the case of Bolton against Keating? It is now reported in the Law Reports, and it will give a very excellent idea to the House. I only refer to it because the hon. and learned Member was counsel in it himself. It is one of the cases which I submit this Bill is intended to remedy. The tenant applied to have a fair rent fixed. The landlord appealed, and the landlord was fortunate to have the assistance of the Member for Trinity College. He asked the tenant, Miss Keating, if she had ever sublet a portion of her holding. The question had never been asked below, and the woman had not her papers in Court, not expecting the point to be raised, she said—"I have sublet portion of the holding, some three or four acres," and she was instantly shot out of Court and her application dismissed. What happened? Some weeks after the case was over it turned out that this subletting was 30 or 40 years old, and in ransacking her boxes in the County Wexford, where she lived, she found a letter from the agent recognising the subletting at the time the lease was made. Accordingly, an appeal was taken to the Court of Appeal, and they held, by the time they were enabled to give judgment,

*Mr. T. M. Healy*



that the woman had been wrongfully dismissed from the Court, and ordered the case back so as to have a fair rent fixed. But in the meantime the landlord had her evicted. He had served her with an eviction-made-easy notice under your beautiful Act of 1887. He had strangled her tenancy, and she was no more in a position to go into Court to have a fair rent fixed than any person who was a stranger to the holding, simply because of the point sprung by the landlord in reference to the subletting, as to which he had been a consenting party. She lost her fair rent, was evicted, and her farm is grabbed. I put it to the House, is that not a case in which the circumstances might, with fairness, be submitted to a tribunal such as that which the right hon. Gentleman (the Chief Secretary) proposed to set up? There are scores of such cases. I remember a case in Dublin the other day in which the landlord was Mr. Pack-Beresford, of the County Carlow. The tenant had been evicted in the bad years for non-payment of rent. The local priest applied to the landlord to reinstate the tenant, and the landlord said he would if the tenant would pay up all arrears of rent and the cost of the judgment. That was not a very generous offer, but the tenant did so. The tenant sent a cheque to the landlord for the full amount of the arrears and costs. The landlord had no intention of reinstating the tenant as a "present" tenant. He wanted to make him a "future" tenant, so that he could not obtain the benefit of the Land Acts, and accordingly he took some point about the surrender of the water rights on his holding, and absolutely, when the tenant's cheque for the full amount of arrears and costs was in the pocket of Mr. Beresford, he refused to carry out the obligation he had entered into with this tenant to reinstate him in his holding. For six or eight months the tenant contended that he was to be regarded as a present tenant, with the right to go into Court and have a fair rent fixed, while the landlord insisted that he was a future tenant. The result was that the landlord sent back the cheque and the tenant refused to take it. Then the landlord applied to the Magistrates at Petty Sessions for an order of ejection under the seventh section, and this man was ejected from the holding for which

he had paid the full rent and costs. A grabber named Rose, who, I think, would smell as sweet by any other name, came along, and is now in possession of the holding, and last December prosecuted the real tenant for "trespass," and had him fined. Do you think that is in the interest of the peace of the district? Do you think a tenant who came forward and paid—I think the amount was £62 10s., and who was willing to go back and work the farm—do you think he will live in peace and quietness with Mr. Rose? He may be a thorn near that rose. I will not use any language stronger than that used by the Member for Trinity College, who, of course, would not say anything that was not strictly legal. This is what he said in his speech on Friday night—

"If that was to be the policy of the House and the view of the English Government towards Ireland, then those in Ireland who were prepared to live as law-abiding citizens would be justified in resorting to any extreme."

I should like to know, would the tenant who paid his full rent and costs be justified in resorting to any extreme? Is sauce for the goose sauce for the gander? The Member for Trinity College was not satisfied with that declaration made in the interest of law and order. It appears there were "ironical National cheers from below the Gangway" when he so spoke. Then the Member for Trinity College said—

"They were welcome to their cheers. All he could say was that there must be a point, when Governments began to confiscate, at which they must exhaust the patience of those who were willing to submit to the law."

But the tenant whose case I have mentioned was willing to submit to the law. He paid all the money that the law demanded of him, and he is now out on the roadside. You talk, and this House talks, of what it is pleased to call the benefits of the Land Acts for Irish tenants, and you go on Primrose plat-forms, and you extol those extraordinary benefits. Do you think the passing of a Bill in this House is like putting guano on the farm of an Irish tenant? Do you think there is liquid manure for the farms of the Irish tenants in any of the sections you pass? Is it such a benefit to boast about to try to prevent a man from being robbed? I will just give you an instance. Take from the Notes of that desperate Committee upstairs as to

what these benefits are, and, I would ask you, what would be said if the Irish tenants took the advice of the Member for Trinity College? I take this case not from the files of any Nationalist newspapers; I take it from the files of the Irish Land Commission, produced by the head of that Court, and I ask this House to say whether it is reasonable to expect Irish tenants, evicted or non-evicted, to remain patient under these circumstances. A man named Patrick Moore held eight acres under Mr. Villiers Stuart, formerly a Member of this House—Member for Waterford. These were the kind of Members the Irish tenants elected as late as 1880. No wonder as to the kind of laws that were passed! Moore held eight acres on a mountain which, according to the Report, was 550 feet above the level of the sea, and exposed to the sea. The rent he was paying was only 6d. altogether, so barren was his plot. He had reclaimed this holding. He had built on it a house, cowhouse, a boiler house, a piggery—very vulgar details, I suppose, but of great importance to those poor people—and a stable, and he had reclaimed seven acres of land from the original heath and furze. What was Patrick Moore's reward? The landlord first raised his rent from 6d. to 18s. 9d., although there is a clause in the Irish Land Act which says that no rent shall be allowed or made payable on tenants' improvements. He had expended, according to the evidence, on this holding a sum of £210. He and his predecessors in title had been working the land since 1826, and during that time not a copper of expenditure was made by the landlord. This extraordinary clause which says that no rent is to be allowed or made payable on tenants' improvements is construed by the Irish Land Commission as if the word "no" was omitted, so that it is made to read that rent shall be allowed and shall be made payable on the tenants' improvements. Accordingly, the landlord having raised the rent to 18s. 9d., the tenant applied for the benefits of the Land Act. He first went to the County Court Judge—I think this is the Irish case in miniature. There happened to be an honest County Court Judge in County Waterford—Judge Waters—but he has been removed since by the Tories. The tenant served his originating notice in

the Court of Judge Waters on the 24th of February, 1892, and would have come before the County Court on the 18th of April, 1892. But what did the landlord do? He appealed to transfer the case to the Land Commission. Automatically it was transferred, although in the period in which the case might come on for hearing years might elapse, and the tenant all the while would be liable to eviction on his old rent, as happened in many of these cases. In 1892 some of the block in the Courts had been got rid of, and it only took the Land Commission one and a half years to hear the case which, under the circumstances, was very moderate. On the 28th November, 1893, the Sub-Commissioners confirmed the rent of 18s. 9d., which before the Land Act had been 6d. Was the landlord satisfied with that? Nothing of the kind. Here is the Sub-Commissioners' official Report, and we all pay great respect to official Reports in Ireland—

"The position of the farm is exposed to the sea. The entire holding was evidently a poor wild mountain, and will require continuous outlay in the shape of labour to prevent its going back to its normal state of furze and heath."

And with that statement before them the Chief Land Commission on the landlord's appeal raised the rent from 18s. 9d. to 30s., and ordered the tenant to pay the costs—that is, the landlord's costs as well as his own. There are two other cases on the Stuart estate in which the facts are substantially identical, and if you take the entire mass of the small tenantry of Ireland, that is their case in miniature. I will not assert that upon my own authority. I take the Report of Lord Cowper, who in 1887, when challenged about his Report as to the making of improvements by the tenants in Ireland, when challenged in the House of Lords by one of the Irish landlords, re-asserted the fact that in Ireland, whilst every single improvement was made by the tenant, the landlords never expended money on their estates. But if you want one more proof of it, it is this—there is a clause in the Irish Land Act which says that if the improvements on any farm are made and maintained by the landlord, the tenant shall not be entitled to the benefits of the Land Act, and cannot get a fair rent fixed. How many of the Irish landlords have got the benefit of that

*Mr. T. M. Healy*

section? 300,000 Irish tenants have gone into Court and got a fair rent fixed, and how many tenants were excluded on the ground that the landlord made and maintained the improvements? Just one. And it is with that system in vogue, with that system in operation, that the Member for Birmingham denounces the Bill of the right hon. Gentleman the Chief Secretary as revolutionary. Those poor cottiers, if he had his way, would have no relief. I think this House once voted £70,000 for a picture of the Madonna by Raphael, but you would refuse £100,000 to reinstate thousands of poor tenants in Ireland who have been thrown out on the roadside. You keep up your ships at enormous cost to suppress the Slave Trade on the African coast. I wish you would land some of your Marines in Ireland to prevent these tenants from being robbed by their landlords. You are horrified by the condition of Essex. There are deserted farms all over the place. The Adjournment of the House was moved about Essex and the derelict farms there. Why do not you transfer some of those evicted tenants over there and see what kind of a hand they would make of it? Perhaps they would do better than the tenants who threw it up. The Member for Bristol (Sir M. Hicks-Beach) gave evidence before a Committee on English land, and he said that the average fall in English agricultural land was 50 per cent. What is the evidence that we are taking in the Land Acts Committee? That the rentals fixed in 1881 and 1882 as fair rents would, if now revised, be fixed at 25 to 30 per cent. lower than the original. Every day these rack-rented tenants are being evicted, and the Member for Birmingham says these are Plan of Campaign tenants. He strains at the gnat of the Plan of Campaign and he swallows the camel of the No-Rent Manifesto. Since the Act of 1881 was passed 300,000 tenants have gone into Court and have dragged out of the vitals of the Irish landlords such reduction of rent as they have been able to obtain, whilst in England the landlords have voluntarily given reductions. The Income Tax Returns prove it. The Tory Party will support those Irish landlords, who have been the curse of their Party ever since they have been connected with it. What have they gained by it? You are having a Commission now under

this Bill, of which Mr. George Fottrell is going to be one. I will say nothing against him whatever. You say to-day that the true solution of the Irish land difficulty is that the Irish tenant should become the owner of his holding. A question was asked in this House in 1882, I think it was by the late Lord Chancellor, about Mr. Fottrell, and he was dismissed from the Irish Land Commission, where he was solicitor. What was his crime? That he wrote a pamphlet entitled "How a tenant might become owner of his holding." That was the head and front of his offending. That was the position of 1882. Rents have fallen since, and I am sorry to say they will still fall if the fall in the price of produce and the heavy imports continue in the way they have done. I beg this House to treat this Bill not as a great plaster to a great sore, as John Bright spoke of the Act of 1870, but as a very mild emollient applied to a very burning and heated ulcer. I have not said what I should like to say with regard to the exclusion of those tenants whose farms have been grabbed. I will say nothing at present on that position, because, no doubt, the House will deal with it later on. I will not use the language and threats of the Member for Trinity College (Mr. Carson) and say what would happen if this Bill is rejected, but I would like to quote to the House one sentence from an Irish Judge, delivered a long time ago to a Grand Jury of landlords in the County Wexford, which I think is rather germane to the question. What said Judge Fletcher in 1814? Of course, they would not listen then to anything in favour of Irish tenants. Judge Fletcher said—

"What is the wretched peasant to do? Hunted from the spot where he had first drawn breath, where he had first seen the light of Heaven, incapable of procuring any other means of subsistence, can we be surprised that, being unenlightened and uneducated, he may rush to the perpetration of crime, followed by the punishment of the rope and gibbet? Nothing remains to him, thus harassed and destitute, but with the strong hand to deter the stranger from entering upon his farm, and to extort from the weakness of his landlord, whose gratitude and good feelings he has failed to win, a sort of preference to his ancient tenantry.

Cases of landlord hardship have been quoted. Who are these landlords on whose behalf the hon. Member for Birmingham

has raised up his voice? Lord Clanricarde, whom even the Member for Manchester (Mr. Balfour), who has never lacked hardihood, was unable to defend, and who was spoken of by *The Times* as a public nuisance and a public danger—a man of whom the Member for South Tyrone, who had visited his estates, pointed out that so far had Lord Clanricarde's ingratitude gone that even the tomb of his own mother was allowed to be desecrated. He spoke of him, and said he would support a measure for his compulsory expropriation, and you, by quoting cases of hardship which might well be argued before this very moderate Commission, forget that hundreds of instances of real hardships to tenants which you refuse to remedy might be cited on our side. The hon. and learned Member for Trinity College has asked if a "drunken corner-boy," and former tenant of a lady he mentioned, is to be reinstated. No, I would not reinstate such a man. There are cases which are not fit for reinstatement, and I believe that they will be fairly dealt with by the very moderate tribunal which is to be appointed. There is Mr. Piers White, the man who presented the Conservative Party with five seats when he acted as Commissioner under the Bill of 1885; there is Mr. Greer, the Unionist; and Mr. George Fottrell, of whom I think it would be a strong thing\* to say that he was an active Nationalist. Will the House allow it to be said that they refused to remit to such a tribunal the very class of cases which the right hon. Member for West Birmingham said were a small class of cases, the fringe of this great and burning question? Sir, this House may once more reject this Bill, but I do not think it is likely. The House has passed a stronger Bill, and so has the House of Lords with which we are now threatened by the Member for Armagh. This House seems to conduct all its proceedings now under the threat of the House of Lords. The House of Lords seem to have a mortgage on the House of Commons which appears to be only a limited owner, whose estate will be dealt with in some other way when it reaches another place. The Bill of 1881—"The Chamberlain Act"—took only one day and a Morning Sitting to debate, and this very moderate Bill has occupied three days,

*Mr. T. M. Healy*

although it is said that the House of House of Lords will be sure to give it its quietus. I beg the House to consider the proportions of this question, and the fact that at present Ireland is absolutely at peace. Do not let the argument be put into the mouths of Irishmen that it is only by crime and bloodshed they can get justice. Remember the past; for just as engineers allow that for every £100,000 expended on works so many human lives must perish, so for every section on the Statute Book in the interest of Ireland so much blood has been spilt and so much agitation has had to be conducted. If the Nationalist Members are agitators, why not knock the ground of agitation from under our feet? Why not restore these unfortunate tenants to their holdings and give them another chance? And then, having done Ireland justice, you may appear, as is certainly not now the case, at the bar of the world's justice with clean hands.

\*Mr. MACARTNEY (Antrim, S.) said, it would probably be a matter of absolute indifference to the Irish landlords in what class of humanity or of enlightenment the Chief Secretary might be pleased to place them. None of them were, at all events, so thoroughly benighted as not to understand the position of the right hon. Gentleman, and that it was from the hollow of the hon. Member for Longford's hand that he produced his policy. The course pursued by the right hon. Gentleman had been unprecedented, for instead of justifying his measure by reference to the events which had led up to it, the right hon. Gentleman had refused to look back on that extraordinary series of events. If he had formerly declined to discuss those events, the right hon. Gentleman would never have appointed the Mathew Commission. That Commission reported on six points. With regard to the first five, there was not one on which the Chief Secretary could not have obtained the fullest information without the Commission at all. And as to the sixth, a comparison between the Bill and the Report of the Commission would show that the latter could have been very well dispensed with. The right hon. Gentleman said that the Commission was appointed to report on "the practical equity of the case." Probably that meant that he wanted

some justification which equity would not supply for the legislation which had been forced on him. Of necessity some Bill had to be brought in, because not only the right hon. Gentleman's supporters, but the right hon. Member for Bradford had held out hopes to the evicted tenants that the triumph of the Liberal Party would bring about their triumphant restoration. It was idle for the right hon. Member for Bradford to draw distinctions between his private and his official positions. No such distinctions were drawn in Ireland when the right hon. Member visited the country. The leaders of the agitation in Tipperary presented an address to the right hon. Gentleman in which they referred to "the lofty position he held in the Government of England, and the place he filled in the great Liberal Party."

**MR. SHAW-LEFEVRE** (Bradford, Central): I held no official position then.

\***MR. MACARTNEY** said that, at all events, the right hon. Gentleman never took the trouble to repudiate any part of the exalted position attributed to him. It was futile for the right hon. Gentleman to say that he had not a large measure of responsibility for the Plan of Campaign, and for the men who were now starving outside the farms from which they had to be evicted because their leaders had not enough money to keep them going. He felt bound to allude to what the Chief Secretary had asked should be passed over. Possibly the right hon. Gentleman thought the Mathew Commission had found no practical equity to justify this legislation, and had therefore asked that a veil should be drawn over the past history of this controversy in Ireland. He regretted to say that he could not allow it to remain concealed, and that he must lift the corner of that veil in order to justify the opposition which he was obliged to offer to the Bill. What was admitted to be the origin of the whole of this business? Its origin was not the evictions which took place in 1879, but the Plan of Campaign. This Plan of Campaign was the special and peculiar policy of the hon. Member for East Mayo and the hon. Member for Cork, and was not approved by the whole of the Party with which those hon. Mem-

bers generally acted; indeed, it was promulgated without the approval and against the opinion of many of the most powerful leaders of the Irish National League at that time. Unfortunately, however, for the Irish tenants the advice of the more prudent members of the National League was not taken, and the active propaganda of that organisation began. Then the unfortunate tenants were urged by, among others, Mr. Deasy, Mr. Peter M'Donald, and Mr. O'Kelly to leave their farms and to join the Plan of Campaign; and it was clear that the arguments put forward to induce the Irish tenants to join the organisation were not founded upon agricultural depression but were calculated rather to sustain the political reputation of the Irish Leaders in England. Though the appeals to the cupidity of the tenants had failed in some cases, the educational policy inaugurated by the Plan of Campaign was carried out vigorously, first by resolutions and next by speeches of hon. Members; and in many cases decisions were forced on unwilling men by overt acts of intimidation. Men who would not join the Plan of Campaign had been denounced as cowards, lepers, and outcasts? What had been the result? On 17 estates examined into by the Mathew Commission 1,000 men were practically penniless and dependent on the precarious support doled out by their leaders from day to day. In defence of this policy it had been urged that because the House rejected the Bill of Mr. Parnell in 1886 the Irish tenants were justified in joining the combination. He refused to admit that this would be a justification for the proposals of the present Bill, because the Debates in the last Parliament proved either that Mr. Parnell's Bill would not have applied to the case of the Plan of Campaign estates, or in cases where it did apply the terms offered by the landlords were much better. On the Ponsonby Estate, for example, out of 190 eviction notices only 22 tenants would have been dealt with by Mr. Parnell's Bill. A similar proportion would be found in the Coolgrain Estate; while on the Olphert and Vandeleur Estates the terms offered by the landlords were infinitely better than the tenants would have obtained under the proposed legislation of Mr. Parnell. The object of the Plan of Campaign in 1888

was clearly indicated by the hon. Member for Cork in a letter to one of his colleagues, dated August 25th, 1888. He said :—"It will be most necessary to show Balfour that his troubles in Ireland are only beginning." It had also been urged that it was not only a question of rent, but that owing to the claims for arrears the tenants in Ireland were justified in joining the Plan of Campaign; but that argument had been refuted by the evidence given before the Mathew Commission by the hon. Member for East Mayo. It was therefore absurd for hon. Members to justify the inauguration of the Plan of Campaign either by the rejection of Mr. Parnell's Bill or by the legislation of 1887. The Plan of Campaign was nothing less than a political movement started, as had been avowed, to destroy landlordism, which was declared to be the great and only prop of English rule in Ireland. It had been said by hon. Members that the just demands of Ireland would never be granted until "the two curses of that country—landlordism and English rule—were destroyed." Those "two curses," he was happy to say, were still existing in Ireland, notwithstanding the efforts of the organisers and supporters of the Plan of Campaign, though by it the position and prospects of many of Her Majesty's subjects had been greatly altered. A fresh calamity had been added to the burden which Ireland bore, a calamity which occupied the attention of one of the branches of the Irish National Federation early this year under the presidency of the Rev. Canon Doyle, Parish Priest. A resolution was passed unanimously by the branch stating that they would regard it as a blessing for the country if Messrs. John Dillon and William O'Brien, in their voyage to Boulogne, were sunk in the ocean. The practical equities of the situation would have been dealt with in a much better way by the right hon. Gentleman who introduced the Bill if he had promised some legislation which would have protected the tenants of Ireland and those who had been duped in the past by the policy of those two hon. Members from a similar fate in the future. The hon. Member for the Harbour Division (Mr. Harrington) had placed the whole responsibility for this agitation upon the non-rejection by the House of Mr. Parnell's Bill, but a speech made by Mr.

Davitt in 1887 showed that neither he nor his colleagues would have been ready to accept any settlement of the land question or of the agrarian difficulty propounded by the House of Commons. Mr. Davitt had warned the tenants at Sligo that they must be careful about accepting any proposal having the sanction of the Imperial Parliament, and if they did they must expect to have their interests seriously curtailed. Long before Mr. Parnell's Bill had been brought into the House *United Ireland* declared that a campaign against the landlords was inevitable, whilst the policy of *United Ireland* was at the time of the Chicago Convention laid down in the well-known phrase used by the hon. Member for Waterford (Mr. J. E. Redmond)—namely, that it was the policy of his Party to make the Government of Ireland by England impossible. It was therefore necessary to start an agitation, and to keep it going by hook or by crook. The most convenient form of agitation was one attacking the landlords' property, and the carrying out of the policy thus adopted had resulted in over 1,000 tenants being placed in a most unenviable position. These men would have made arrangements with their landlords long ago if it had not been for their leaders. The evicted tenants did not get any money unless they sympathised with one particular section of the Irish Nationalist Party. He asked the Chief Secretary on what ground he supposed that if this Bill passed it would put an end to any portion of the difficulty. Two or three Members for Ireland who had spoken had described the Bill in almost as strong language as that in which the hon. Member for Waterford (Mr. J. E. Redmond) described the Bill of last year, and he asked the Chief Secretary to point out one single utterance by an Irish Member in support of the scheme indicating to the House that if the Bill were accepted it would go any length whatever towards settling the difficulty. Not a single follower of the right hon. Gentleman had made a speech in which there was the slightest enthusiasm about the Bill. The Bill settled nothing, but it would enable the Irish agitator in the future, when he once again raised the agrarian question, to hold out the most solid and material inducements to the Irish tenants to adopt

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the plan he proposed, no matter how dishonest that plan might be, because he would be able to tell them that sooner or later there would be found some Chief Secretary who would endow their dishonesty with the money of the State. How far did the Chief Secretary think the £250,000 he proposed to expend under this Bill would go? It would give an average sum of £60 for each tenant mentioned by the right hon. Gentleman. Bishop Healy, who lived in the centre of the Clanricarde district, had told the Mathew Commission that every tenant would have to rebuild his house, and would have to be provided with capital to stock his farm. The Bishop was asked whether if the Government lent these tenants money to start them in a farm it would not be fair to ask them for more security than other tenants gave, and his reply was that it would be very difficult for them to give any additional security, and that if they did give additional security it would be only Peter giving security for Paul and Paul for Peter. It was evident under those circumstances that the proposals of the right hon. Gentleman would not go to one quarter of the way that was necessary in order to settle the question. Then the right hon. Gentleman proposed to go to the Church Fund in order to find his financial resource. No doubt that was the usual source to which Chief Secretaries had gone in the past when they wanted to pursue some indefensible policy. If the right hon. Gentleman believed that his policy was justifiable, and that Parliament would say that the Plan of Campaign tenants were the pick of the Irish people, ought he not in justice to his policy to place upon the Estimates the sum he was taking for this Bill? Had the right hon. Gentleman done this, Members who supported the Bill would have had to defend their actions before their constituents, and he (Mr. Macartney) should like to have heard the hon. Member for Shipley (Mr. Byles) or the hon. Member for Northampton (Mr. Channing) defending a payment out of the Imperial Exchequer of £250,000 to men who for years had been spending their time in laziness and in visiting their friends, and who, according to one authority, had been drawing £2 or £3 a week from the National League. His (Mr. Macartney's) constituents had the

greatest objection to seeing the Irish Church Fund used for any purpose which would not generally benefit every interest and every class of persons in Ireland. Members who thought that by taking this £250,000 from the Irish Church Fund they would get off paying anything had possibly overlooked the section of the Bill which provided that the salaries and remuneration and all expenses not otherwise provided for under the Bill were to be paid out of the Imperial Revenue. It was absolutely certain that if this Bill was not a sham, if it was to work at all, it would swallow up probably double the right hon. Gentleman's estimate, and therefore an additional £250,000 would be placed upon the shoulders of English, Welsh, and Scottish taxpayers. He doubted very much whether the machinery provided by Section 2 of Clause 1 was ever intended to work, because, as had been pointed out by the right hon. Member for West Birmingham (Mr. J. Chamberlain), if it worked honestly it must exclude nine-tenths of the men whom the Bill proposed to benefit. Unless this Bill were a sham from the Irish point of view, it would be necessary for the Chief Secretary to adopt the view expressed by the hon. and learned Member for Haddingtonshire (Mr. Haldane), and immediately on an application being made by any tenant admit that he had a *prima facie* case, and let a conditional order issue. The Commissioners were told to deal with the evicted tenants in groups. He asked the Chief Secretary to explain if he could on what ground if a similar number of cases on one estate was to be dealt with in a group, he could expect Members to believe that the question of reasonableness or unreasonableness would be entertained by the tribunal. He took it that the whole of the tenants would have to be reinstated by means of a single conditional order on the Clanricarde Estate, and that the Commissioners would be compelled to refrain from making any distinction between the leaders and the dupes amongst the tenants, and would have to place both leaders and dupes back in their holdings without having the slightest regard either to reasonableness or unreasonableness. The settlement under Clause 4, which the right hon. Gentleman suggested it would be well for the landlords to accept, was one infinitely worse than the settlement



already arrived at on the Plan of Campaign estates by mutual agreement between the evicted tenants and their former landlords. The hon. Member for Armagh had pointed out that the settlement on the Clanricarde Estate was a great deal better. The settlement on the Oliphant Estate was made on the basis of three years' rents and costs, and two years' rents and costs. On the Cloncurry Estate, 22 of the former tenants and three new tenants at the old rents were on a 21 years' lease. On the Massereene Estate not one single reinstatement had been made except in payment of the full amount due, and on the Clongorey Estate there had been no reinstatements. He took it that this estate would present one of the greatest difficulties under the Bill. The whole area had been levelled, drained and fenced. Large sums had been spent on the improvements, and the land was being highly farmed and was said to be paying. He could not understand how the tribunal which would be set up under the Bill, if it did its work with impartiality, would manage to bring about the reinstatement of the tenants. He did not deny—it was impossible to deny—the existence of this trouble. They might as well deny the existence of thieves, or of any other form of social evil that existed in the United Kingdom; but he did not see that because a person recognised that the trouble existed that they were to deal with it in the manner proposed by the right hon. Gentleman. The right hon. Gentleman no doubt looked on him (Mr. Macartney) as one of the irreconcilable class. He, no doubt, was irreconcilable to dealing with a question of this sort on the basis proposed. He would never consent, nor would his constituents consent, to deal with fraud on the same basis as with honesty. He would not consent to give, nor would they consent to his giving, a vote in favour of taking out of a fund replenished annually by the industry and honesty of a large number of their fellow tenants, who were purchasers under the Church Act, money for the purpose of reinstating, on better terms than any other tenant in Ireland enjoyed at the present moment, men who had openly avowed their connection with this dishonest organisation and had subsisted in idleness as a result of seizing the land-

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lord's property. They would never consent to a settlement on those terms. But the right hon. Gentleman opposite had no right to assume that he (Mr. Macartney) and all his friends had shut the door to all possible settlement on the question. He felt convinced that even if the Bill failed to pass through Parliament—and he hoped it would fail—the door would not be closed against a settlement. There was no reason to doubt that if the evicted tenants who were desirous of returning to their landlords—and he believed many were—that was to say, if the influences which prevented many of them from coming to terms with their landlords were withdrawn, he had no doubt that in a short time, even at the eleventh hour, peaceful settlements would be arrived at. There was no reason why those who were still out on the Olphert Estate should not be replaced on their farms, like those who went in in 1890. He could not overlook the pressure brought to bear on the right hon. Gentleman the Chief Secretary by hon. Gentlemen from Ireland, and he was unable to agree that this was a Bill brought forward merely for dealing with the evicted tenants. He looked upon it as a Bill promoted to re-establish the reputations of the hon. Member for East Mayo and of the hon. Member for Cork, which had been materially damaged by the position of the evicted tenants, and he certainly never would be a party to advancing in this House a Bill to re-establish the reputations of men who more than any others were responsible for crime and disorder in large districts of Ireland.

\*Mr. T. W. RUSSELL (Tyrone, S.) said, he would not detain the House many moments, but he hoped that even at this late stage of the Debate hon. Members would not be unwilling that he should state the views he held both as regarded the Bill and as regarded the Amendment by which it had been met. The hon. Member who had just resumed his seat had stated distinctly that the action now taken by himself and his friends must not be taken as closing the door to a reasonable settlement of the question. If that were so, he (Mr. T. W. Russell) should like to know why the hon. Member and his friends had insisted on the withdrawal of that portion of his Amendment which sought to give the consent of the House

to a just, reasonable, and equitable proposal. The hon. Member and his friends had declined emphatically to vote for his Amendment if those words stood. They had insisted on the withdrawal of the words, and he (Mr. T. W. Russell) confessed he did not understand hon. Members who said that they were prepared for an honourable and reasonable settlement, and yet insisted on the withdrawal of an Amendment which simply pronounced in favour of such a settlement. A good deal had been said about the Plan of Campaign. He had never hesitated in the House to express his views about that measure. He had denounced it in Ireland and in England, both outside and inside the House of Commons. But he would point out that the moment they passed the 13th section of the Land Act, under which 80 of the Ponsonby Campaigners were restored to their holdings, they had put themselves out of court, practically speaking, from using the Plan of Campaign as a reason why these men should not be reinstated. He was willing to denounce the Plan of Campaign at all reasonable times. If they wished to prove that the policy of the hon. Member for Cork and the policy of the hon. Member for Mayo from 1886 to 1890 was an insane and wicked policy, he was with them. He thought that policy was both insane and wicked. It had cost the tenants who had listened to those two hon. Members dearly. But this would be admitted by some hon. Members even sitting on the Ministerial and Irish Benches. Though, as he said, they had assented to the 13th section of the Land Act, and by that had covered and endorsed the principle of reinstatement, he did not say that they had committed themselves to the proposals of the Bill. They had done nothing of the kind. Section 13 covered the principle of reinstatement, but as to the methods of reinstatement they constituted an entirely different matter. One was voluntary, and not only voluntary—they resisted a proposal to make it compulsory, therefore those of them who supported that section—and he had some responsibility in regard to it—simply declared that under the stress of circumstances they were willing to consider any just and reasonable grounds for reinstating these tenants, but they certainly did not commit themselves, either to the proposals of the right hon. Gentleman the

Chief Secretary for Ireland, or to any similar proposals contained in any private Bill brought forward by hon. Gentlemen opposite. Having said that much about the Amendment, which he frankly said he did not approve, he might now say that he also disliked the Bill. The Bill was really divided into two parts, and he would take first what was in reality the second part of the Bill—namely, the part dealing with the new tenants. He thought the Chief Secretary would admit he had given some pains to this question, and he had devoted some attention to it both in Ireland and here, and his deliberate opinion was that there would be at least 2,000 cases to be dealt with under that portion of the measure. He regretted to hear his right hon. Friend the Member for West Birmingham use the word “planter” in connection with those tenants, hundreds of whom had come into occupation after the troubles of 1879-80. They took their holdings in the ordinary way, without anybody objecting; they had led quiet and industrious lives ever since; and these men were not to be confounded with the other denomination of new tenants styled “planters.” The “planters” were brought on to two estates alone—the Coolgraney and the Massereene estates, in order that the Plan of Campaign might be fought; and they did not number more than 50 tenants. He wished the House to draw a distinction between the ordinary class of new tenants and those called “planters,” who were brought there simply as an act of war to fight the Plan of Campaign. He took the two cases as they stood, and what did the Chief Secretary do? He appointed his Arbitrator’s Court, and the old tenant who had been out of his holding for 10, 12, or 14 years, would serve a notice or claim for reinstatement. He might have been fished out from any part of Ireland and might serve a claim for reinstatement, and, unless the sitting tenant went into Court and objected, the conditional order, or what was tantamount thereto, would be made absolute, the old tenant might be put back, and the new tenant who had been occupying and farming the land for a number of years might be evicted. He put it to the right hon. Gentleman what was the sense of causing one eviction to cure another? The Government were simply lighting a

fire round every one of these homesteads, and were causing trouble where peace now reigned. That was a very unwise thing for any Government to do. The Chief Secretary said that the new tenants would, after this Bill had been passed, be as safe as at present. That might be true as regarded the "planters," but it was not true as regarded the other new tenants. As he had said, the new tenant was living in peace in hundreds of cases, and to light this fire around these homesteads was a most serious thing. Now, let him come to the land that was either derelict or being worked for or by the landlord. This was really the first part of the Bill, but he had kept it to be dealt with secondly. At once he would say that he approved of the Court of Arbitration that was set up. He held that some Court of the kind was absolutely necessary; if this matter was to be settled there must be some plan of bringing the two parties together, the landlord and the ex-tenant, and so far as the right hon. Gentleman proposed to set up that Court of Arbitration he agreed with the proposal. Very well, the Court was constituted, and the old tenant of these derelict lands, or the lands now being worked by or for the landlords, were entitled to serve—he was going to say an originating notice, having heard so much of them lately upstairs—a claim to be reinstated. He was not going into the argument of the hon. and learned Gentleman the Member for the University of Dublin (Mr. Carson), a most powerful argument from the legal standpoint, but what he said was that he thought it was a very hard and severe thing to allow the arbitrators to say to a landlord who had ejected his tenants, perhaps years before, for non-payment of rent, "You must give up that land which you are farming at a profit; you must take back these men who have conspired to defraud you; and the old relationships must be renewed." He disliked the Bill very much on this account. It was not only a hard, but a dangerous thing for the Bill to say, and he wished the House to realise what might result from it. If the landlords were brought face to face with the fact that these defaulting tenants were to be compulsorily forced back on their holdings they would inevitably compel them to purchase, and would insist upon having cash down. He thought

it was exceedingly probable, he might say it was almost human nature, that the landlords, having the option to insist upon purchase under the Bill, would compel these men to purchase. What did that mean, and he desired to fix the attention of the House upon this point? There were probably 3,000 tenants who would claim under this section of the Act. There were 5,000 altogether, but his calculation was that probably 3,000 would claim under this section of the Act. Supposing the Act were carried out and the whole of the 5,000 tenancies had to be dealt with, and that these 5,000 claimants were thrown upon the Purchase Acts by the action of the landlords, what was likely to happen? If there had been one bit of legislation that was a success in Ireland it had been the land purchase system; under it nearly 30,000 freeholders had been created, and the process of creating them was going on apace every day. Not only that but, what was more important still, there had been absolutely no default in payment of the instalments worth mentioning; it was the most successful piece of Irish legislation of the century. It had worked well, and every one who knew Ireland, every one who looked forward to the peace of Ireland, looked to these Purchase Acts as the ultimate means by which that peace was to be secured. He confessed that he hesitated about this Bill because of the danger which in his opinion was likely to happen to this purchase system. Should the landlords compel the tenant to buy, and that was certain, they would absolutely throw on the purchase system 5,000 men who — and he said it without any disrespect to these men, who were in an unfortunate position—were absolutely paupers; and they proposed to pledge the credit of the British taxpayer for these men. Where was the security? When he sat on the opposite side of the House in the year 1891 he heard speech after speech from those Benches against the land purchase system because of the risk it carried to the British taxpayer. But the state of things there was the case of solvent tenants; they had the tenants' tenant-right at their back, and the landlords' interest and the landlords' guarantee deposit. Now, he said, they were running the risk of throwing 5,000 men who were in a state of simple

*Mr. T. W. Russell*

pauperism right athwart the purchase system without any security at all. The land, no doubt, was there, but it was in a derelict state and would take years and a large amount of capital, which these men did not possess, to bring it back to heart and into cultivation. He said it was one of the most dangerous experiments that had ever been made in agrarian legislation. In his opinion that point was difficult enough, but the powers that they gave to this temporary Board were enormous, and it would, in fact, be simply a new Land Commission appointed for political purposes. This was another great blot on the Bill. He could have understood it if the Chief Secretary had appointed the Land Commission to deal with this matter. But what would the new Court of Arbitration know about fair rent? There could not be a better President of the new court than Mr. Piers White, but what did he know about fair rent? This temporary Commission had absolute power to bring the greatest difficulty into the working of the Land Commission itself. That he regarded as a great blot on the Bill. With regard to the question of compulsion, to which all the opponents of the Bill objected, he wished to point out that the so-called precedents drawn from the free-sale clauses of the Land Act and the Rent Redemption Act were not on all-fours with the present proposal. Under the former, if the landlord objected he had the right of pre-emption, and in that way could prevent the compulsion being made operative upon him; and as to the Rent Redemption Act and the power given to the long leaseholder to compel his landlord to elect between a fair rent and selling the freehold, there was the widest difference between the case of the long leaseholder who had never previously had the benefit of any Land Act and the man who had had all the benefits and had deliberately thrown them away. The two cases were not to be named in the same breath. Having said so much, he might be asked, "When you object to the Bill and when you object to the Amendment, what would you propose yourself?" He said he might fairly be asked that, and if he were asked the question, he would put the answer to it in a three-fold way. As he had said, he should unhesitatingly have set up this Board of

Arbitration, but he should have made it a Board of Conciliation, and he should have denied to it a single atom of compulsory power.

MR. T. M. HEALY: What would you do with Lord Clanricarde?

\*MR. T. W. RUSSELL said, he had thought of that, and he admitted that that nobleman was a difficulty, but he wished to say he in no way receded from the position he took up in regard to the noble Lord. He quite admitted that the chief difficulty would be found on the estate of Lord Clanricarde, but, leaving that estate out of the question for the present, he said that compulsion was the first difficulty that might have been avoided by making the Board a Board of Conciliation. The second difficulty was that dishonesty and illegality were to be rewarded. How could that have been avoided? By simply drawing the Bill on the lines of the 13th section of the Act of 1891—by making it a purchase Bill, and not a tenants' reinstatement Bill. He saw the right hon. Gentleman had anticipated him, and was at once ready to ask where his security was? He had not forgotten that. The Government gave the Church surplus away to the Irish landlord; he would not do that, but he would have put in a specific sum of the Church surplus or county cess in lieu of the landlord's guarantee deposit, and he would thus give the British taxpayer a better security for these men than the British taxpayer had now for a solvent tenant. In other words, for the landlord's guarantee deposit, which was removed, he should have put in a specific sum of the Church surplus, and if the landlord was to get any arrears, then he should have added the arrears to the purchase money, and by that means prevented the tenant being rewarded for dishonesty and made him pay for his own wrong-doing. That still would not have affected the new tenants, and he thought they might have been dealt with in another way also. He could never be brought to vote for a proposal which said to a man who had been living peaceably on a farm for 12 or 14 years, "You must give up your holding to the man who previously had it." But, at the same time, he should have been willing to inquire into the circumstances under which the former tenant was put out, and he did not see

why in those cases it would not have been possible to have tried the experiment of taking land elsewhere for these people and settling them in other parts of Ireland. If in a residue of cases no settlement could be found, he should deliberately use the residue of the Emigration Fund in order to give the deserving cases a chance of earning their livelihood in other and more favoured climes.

\*MR. T. M. HEALY: Before the hon. Member sits down will he tell us what he would do with Lord Clanricarde?

\*MR. T. W. RUSSELL said, he had already said that Lord Clanricarde was a great difficulty, and if the hon. Member would bring in a Bill to expropriate Lord Clanricarde, he might put his (Mr. Russell's) name on the back of it. He did not think he could go much further than that or speak much more plainly. But he greatly regretted having to condemn the Bill, because, after everything was said in denunciation of the Plan of Campaign, these poor people were still on the roadside, and the difficulty was there. Months ago he said in *The Fortnightly Review* that he desired that this sore should be healed. He still desired it, and it was a very regretful fact for him that he was unable under the circumstances to support the Bill.

THE SOLICITOR GENERAL (Sir R. T. REID, Dumfries, &c.): From the statement of every gentleman who has spoken in the course of this Debate, I think it cannot be denied that there is a real social evil that requires treatment. There have been certain questions asked which the Government should endeavour to give an answer to. There has been some criticism by the hon. and learned Gentleman the Member for the Dublin University (Mr. Carson) as to which I have to say a few words, and then to pass on to other criticisms by other hon. Gentlemen. The hon. and learned Gentleman and others have said this Bill is unfair in three views—unfair to the landlord, unfair to the new tenant, and unfair to the State. It is said to be unfair to the landlords because it takes the property from their occupation without giving compensation. That statement was made by the hon. and learned Gentleman, and I was astonished to hear it, because compensation is given. In the first instance, by this proposal two years arrears of rent are given which other-

wise would be absolutely hopeless. In the second place, under this Bill the arbitrators can impose any conditions they think fit. And, in the third place, the landlord may protest himself by insisting upon purchase. Then it is said the landlord would obtain insolvent tenants. The answer to that is that in the first instance he retains in his hands the holding as security for the payment of rent, and in the second place he can insist upon full payment in cash for the value of the holding before he is compelled to part with it. The hon. Member for South Tyrone (Mr. T. W. Russell) said it was unfair to compel a landlord to accept an obnoxious tenant, as he would be compelled under this Bill. What is the purpose of the free-sale clauses of the Act of 1881? Any landlord may be compelled by any tenant, unless he chooses, to exercise the powers which we have given him. I have been asked whether the power of insisting on the purchase applies to those cases in which the old tenant takes the place of the new tenant as well as those cases in which the landlord was himself in occupation. The answer is that those who framed and drew this Bill so believed; the power is the same in both cases, but if it turns out there is any difficulty on that subject the matter can be put right in Committee. And, lastly, the hon. and learned Gentleman asks me with regard to the improvements which are made by the landlord, and asks me whether those improvements will be taken into consideration? The answer is that they will, of course, be considered in fixing the fair rent. There is no doubt that under the Bill power is given to the arbitrators to do complete justice in the case of such improvements. I think I have endeavoured to answer all the points which have been urged as regards the alleged unfairness to the landlords. I come now to the question whether it is unfair to the new tenants. The hon. and learned Member for the University of Dublin said it was monstrous that a tenant in occupation should be liable to be disturbed, after 15 years of occupation, at the will of an arbitrator. The answer is, there is no such power contained in the Bill. No person who is a tenant *bonâ fide* in occupation of the land is liable to be disturbed except with his own consent.

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The hon. and learned Gentleman has, for the moment, overlooked the clause in this Bill dealing with this matter, or he would never have given the sanction of his authority to the statement that any tenant can be disturbed under this Bill. No tenant can be disturbed under the Bill without his consent. It is expressly stated in the Bill that as soon as ever the tenant in occupation expresses his dissent to further proceedings, on that objection the whole proceedings at once come to an end. The hon. and learned Member also asked what compensation was to be paid to the new tenants in the event of being obliged to go out of the holdings; and he apparently regarded the Bill as most defective in the particular that compensation was not provided for the new tenants. If the hon. and learned Member will look at the 3rd section of the Bill he will find that most ample powers are given to the arbitrators, by which they are enabled to say what sum is to be given to the new tenant in consideration of the reinstatement of the old tenant.

MR. CARSON said, what he stated was that the Bill ought to provide the same compensation to the new tenant as was given in the Act of 1870 if the tenant was being disturbed by the landlord.

SIR R. T. REID: I at once accept the hon. and learned Gentleman's statement. I am quoting from *The Times* report, which gives him as saying—

"He should like to know upon what principle the compensation to the new tenant was to be assessed? Under the provisions of the Bill, as he understood them, the new tenant was to receive some compensation—one-half down and one-half to be secured by the promissory note of the evicted tenant."

MR. CARSON: I went on to say he ought to get the same compensation as under the Act of 1870.

SIR R. T. REID (quoting):

"Under the Act of 1870, the landlord who turned out a tenant was obliged to compensate him for disturbance, the amount ranging from three to seven years' rent on his holding."

What I understood the learned Gentleman's argument to be was that, in effect, he questioned the position that the arbitrators were empowered to deal fairly with the tenant in the matter of compensation. If the hon. and learned Gentleman will look at the 3rd clause,

Sub-section 6, of this Bill he will find that the discretion of the arbitrators is unfettered in regard to the amount of the consideration for the reinstatement of the old tenant that is to be awarded to the new tenant. But it is said that the new tenant will be exposed to violence and intimidation, and that he will therefore be obliged to go out whether he likes it or not. As my right hon. Friend the Chief Secretary has stated, he will be as safe then as he is now. If he is in an unsafe position at the present moment it is a deplorable thing, and one which justifies him in demanding the protection which he now enjoys of the executive authority in Ireland, and that protection, of course, will be continued to him. If he is in danger by reason of the unfortunate past history of the last 14 or 15 years in Ireland, that is the source of his danger, and it will not be by reason of this Bill that he will find himself in any jeopardy. Lastly, it is stated that this Bill is unfair to the State. If there is any danger in the case of these new tenants, there is a like danger in the case of the old purchase schemes and for the same reasons. It must, however, be admitted that where Parliament has trusted the tenants with advances of money for the purchase of their holdings, in no instance has Parliament been disappointed in the results. It has unquestionably been proved that the instalments are repaid punctually, and I say that even if there were any risk in a comparatively small matter like this—though I believe there will be no more risk than in the ordinary transactions under the Purchase Act—for my part, I am perfectly prepared to run some risk for the purpose of ending this deplorable state of things. Speaking of Clause 1, dealing with a *prima facie* case for reinstatement, the hon. and learned Member for the Dublin University asked what constituted such a *prima facie* case for reinstatement, and wherein did it differ with the provision that followed to the effect that the arbitrators are to be empowered to act where there has been unreasonable conduct on the part of the landlord or tenant. Sir, I am not going to discuss minutely the words in which this clause is framed. I do not think a Second Reading Debate is the proper time for a verbal—which is necessarily a minute—criticism of the

language of the Bill. But this is perfectly clear: the intention of the Bill—and I believe it is fairly carried out by these words, although you might find other words equally applicable—and the purpose of the Bill is that the arbitrators should be able to go into a district, consider the circumstances of the district and of the eviction, and it is the essence of the matter that they should be able to say what is the proper and reasonable thing to be done in regard to reinstatements in the district. They are intended to be the bearers of amnesty and the messengers of reconciliation, so far as they could be, armed with power to say what is a fair and reasonable thing to do for the solution of a difficulty which is admittedly a very grave one. Of course, for that purpose it is intended that their powers shall be elastic, and that the language of the Bill shall be sufficient, that these gentlemen who are to constitute the tribunal—and against whom nothing has been, nor, I believe, can be, said—shall have the authority to arrive at settlements. Passing from these criticisms, which I thought it was right to answer, I come now to the questions of policy contained in the Bill, and to the observations which have been made upon that policy. And, in the first instance, I would say that there are very few gentlemen who will deny that it is of the highest public importance to settle this question, if it can be settled. The right hon. Gentleman the Member for West Birmingham in his speech to-night said no case whatever had been made out for any Bill of this character, and that there was no case of a great social evil or administrative difficulty. I should be surprised if many gentlemen in the House believed that. The right hon. Gentleman said, in the first instance, that the figures must be illusory which had been supplied by the Chief Secretary, for between the years 1879 and 1886 there was something like 24,000 evictions in Ireland, and since then there must have been more added to the number. The answer to that is this. There were no doubt many evictions from 1879 to 1886, numbering between 20,000 and 30,000, or perhaps more. But in many of these cases the tenants have gone back, either by resuming possession as tenants or caretakers, or their interests have been purchased by others. The figures given by the Chief

Secretary were derived from the authority of the police, and they comprised the cases of evicted farms unlet, and of evicted farms in the hands of new tenants, in regard to which some claim is still advanced on the part of the evicted tenant. That is the list with which the Chief Secretary alone has had to deal, or has attempted to deal; therefore it is that the figures given before the Parnell Commission and the figures given by the Chief Secretary are perfectly reconcilable. But I turn again to the question whether it is true that a settlement of this difficulty is imperative. The right hon. Member for West Birmingham says there is no necessity for anything of the kind. That is not the language which has been used by other gentlemen in the course of this Debate. For instance, the right hon. Gentleman the Member for Bodmin used language of a very significant character upon the occasion of the First Reading of this Bill. The right hon. Gentleman said—

“There was a ragged cloud of witnesses in Ireland betokening the existence of an evil which had threatened civil war in the past, and the continued existence of which constituted a threat of a renewal of civil war in the future.”

It must also be pointed out that in the year 1891, when Clause 13 of the Act of that year was introduced, it was done, as the hon. Member for South Tyrone has said, because it was recognised that there was a real and grave social difficulty to be met in the existence of these evicted tenants, and my hon. Friend the Member for South Tyrone has himself again repeated to-day—what, indeed, has been repeated by a good many gentlemen, including the late Chief Secretary for Ireland, in the course of this Debate—that there is a condition of things which it would be most desirable should be put an end to. That being so, what other alternatives can be proposed? This Debate has not been very fertile in alternatives, but two or three suggestions have been made. One is that the 13th section of the Land Act of 1891 should be continued, and, perhaps, slightly enlarged. The history of that section does not afford ground for the belief that if it was renewed it would be operative for the purpose desired. Under that clause only about 200 tenants were restored to their holdings. It is true that the section was in force only for for six months; but it is also true that,

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quite apart from it, there is power under the Irish Land Acts by which, if they desire it, the landlord and the tenant of an evicted farm can re-create the tenancy for the purpose of effecting a sale, and can, if they thought fit, take advantage of the Land Purchase Acts. If that is so, these circumstances show that mere permissive legislation for the purpose of enabling landlords and tenants to come together with the view of a sale will not suffice to meet the difficulty. It may be that there is temper, or a sense of wrong or injustice, upon one side or both, which will keep these persons too often apart, but it is the case that, notwithstanding the existence of these powers to effect a sale by mutual agreement, only about 200 of these cases have been brought about. Then it is said there ought to be power given to Commissioners or arbitrators to purchase land in other parts of Ireland in order to re-settle the evicted tenants upon this land. I am speaking upon this without any pretence to be an authority on the matter. But the Chief Secretary and the right hon. Gentleman the Leader of the Opposition are undoubtedly authorities in this matter. The Chief Secretary has stated that the Congested Districts Clauses of the late Land Purchase Act, enabling land to be purchased and applied in that way, have been a failure, and I understood the Leader of the Opposition to intimate some degree of assent to the statement. All I can say is this: the Chief Secretary has stated his entire willingness to consider any fair clause for that purpose that might be proposed should be introduced into the Bill. If any clauses of that kind could be inserted as auxiliary for the purpose and example of dealing with the case of the new tenants who did not choose to vacate their farms in favour of the old tenants, I imagine that such clauses will receive favourable consideration. The fact of the matter is this: that all these methods of settlement are defective in one particular, and that is, they are not compulsory. The hon. Member for South Tyrone suggested that a Board of Conciliation might be formed. But does anybody who knows anything about the wretched, miserable Clanricarde Estate—or several others not much better—believe that any kind of permissive legislation would settle such a sore as exists there? The

thing is absolutely absurd, and I do not think that any language that could be used would be too strong to express the danger that has for many years existed to that part of the country by reason of the relations of landlord and tenant upon the Clanricarde Estate. But, apart from the peculiarities and idiosyncrasies of the landlord in that particular case, there are, as the Mathew Commission pointed out, many cases outside the Clanricarde Estate in which both sides would be willing to agree if a little compulsion was brought to bear. They do not like to give in or to acknowledge themselves defeated, but there is ground for believing that the interposition of Parliament would be welcomed by the persons principally concerned. It has been asked why there should be a special tribunal, and why the matter should not have been left to the ordinary tribunals. One conclusive reason is that it is desirable that these cases should be settled with the utmost despatch, and that if a final solution can be found there should be no delay in arriving at it. An attack has been made upon the principle of the Bill upon ethical grounds, and it has been urged that it is likely to encourage future disorders by securing some immunity for those who for their own purposes have embarked upon a policy of defiance of the law. But what are the facts, as was most fairly admitted by the Member for South Tyrone? That the great bulk of the persons affected by the Bill are in their present poor and miserable condition not by their own fault, but rather by their own misfortune. He has spoken of many harsh and unjust evictions, under which the tenants still stand unredressed, and will continue to do so, unless they can obtain redress by this Bill. I should have thought that anyone familiar with the course of Irish legislation must have been struck by one feature of it. The curse of the whole Irish land legislation of the last 13 years has been that it has come too late; and on each occasion when some scanty and tardy instalment of justice towards the Irish tenants has been carried, it has been found that a number of persons who have been overwhelmed with excessive rents, or the arrears of excessive rents, have lost their hold on their farms before the relief came which was extended to them by the Act of Parliament. The

right hon. Member for West Birmingham said that every amendment of the Land Law in Ireland brought a new crop of grievances. Yes, but every Amendment of the Land Law in Ireland, hitherto, had placed a certain number of persons in a most unfair position in comparison with their neighbours, and by accident or misfortune they were deprived of the benefits which they saw conferred at their very doors upon others, and which were intended alike for them. The Land Act of 1881 did nothing for the victims of the two preceding years of 1879 and 1880, and yet everybody knows that that was a time of the direst and most extreme distress, and that there were constant evictions for the non-payment of rents, which were far beyond what were afterwards justified in the Land Courts. The Act of 1887 did nothing for the victims of the five preceding years. The Act of 1891, it is true, made a well-made attempt at settlement by the 13th clause, but unfortunately, from the causes I have already referred to, it was to a large extent inoperative. Therefore the mischief remains to the present day, and a large number of these tenants remain in the position in which they are. Of course, there are the tenants who went out under the Plan of Campaign. Now, Sir, I really know that the mere mention of the Plan of Campaign is apt to sound a note of discord in this House, and I certainly do not want to raise any discord. I shall say nothing at all in regard to the merits or demerits of the Plan of Campaign; but I wish to point out two things. The first is that if the Plan of Campaign was not condoned by the 13th clause of the Act of 1891, it was at all events treated by Parliament as being no bar to the benefits that were to be derived under that Act. Parliament has said, by the Act of 1891, that they will not inquire whether these tenants were parties to the Plan of Campaign or not. The second consideration, and I think a very strong one, in regard to the Plan of Campaign is this: Suppose, for the sake of argument, that it was a criminal conspiracy, and that the men who took part in it deserved punishment, I think they have been punished sufficiently already. They have been out for five, six, or seven years, living within sight of their holdings upon doles, and reduced to a state

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of misery and destitution. Do hon. Gentlemen opposite think it is wise, when Parliament is effecting the settlement of this question, to leave out a small fraction—something under 1,000 men—who represent the Plan of Campaign; or is it not wiser, in view of the time that has passed, and of all that these men have undergone, if you are going to have a general amnesty, to include them in the general amnesty? There are many instances in history in which the most flagrant offences have been included within an amnesty at the end of a social revolution or a civil war; and I will undertake to say that no man can point to a single instance in which an act of policy of the character of an amnesty has failed to produce good results, or has been productive of a recrudescence of the troubles of the past. Does anybody believe that the fact that these men, after six or seven years of suffering and privation, should have relief extended to them by this Bill would encourage other men to undergo the risk of similar privation and suffering in the future, with so little benefit to themselves? Surely it is not probable. I do not in the least desire to shrink from this subject; but I feel it is better to say as little as possible to provoke controversies with regard to the Plan of Campaign, or any other of those miserable episodes in the history of Ireland during the last 13 or 14 years. In pressing this Bill on the attention of the House we may say for ourselves and of ourselves that one ingredient in the endeavour to adopt a generous policy towards Ireland is that many of us, by reason, perhaps, of ignorance of the true condition of Ireland, or it might be indisposition or unwillingness to learn, or prejudice of one kind or another, have delayed or denied that justice to Ireland in successive Bills on which we have not taken the advice offered to us by the Irish Representatives; and it is not worthy of the honour of a great House like this to have to remember that on every Bill we have brought forward the Irish Representatives have tendered counsel of one kind; that that counsel always turned out to be right, and that, nevertheless, successive majorities of this House, Liberal in 1880, and Conservative in 1886, have ignored that advice. We have not suffered, but the Irish

tenants have suffered, and the net result is that these evicted tenants now appeal to the generous instincts of the House not to be afraid or ashamed to redress the wrong that has been done.

MR. FISHER (Fulham) said, the hon. and learned Gentleman the Solicitor General wound up his speech—which was very conciliatory in tone—by appealing to the Members of the Opposition not to delay legislation on this subject, as they had delayed it in other matters, on account of the serious consequences which would inevitably ensue. He (Mr. Fisher) should have been more inclined to attach importance to this peroration if he had not recognised in it the perennial peroration of every hon. and right hon. Gentleman who addressed the House on the Ministerial side of the House in support of Irish legislation. But he could not help asking himself, as a Unionist, what, after all, he had to gain from this legislation brought forward by hon. Gentlemen opposite. It seemed to him to be useless to do so unless he were prepared to support other legislation brought forward by those hon. Gentlemen—unless he were prepared to assent to the amnesty of those who were called political prisoners, and unless he were prepared to grant Home Rule for Ireland. He was not prepared to swallow Ministerial pills which it was alleged were for the benefit of Ireland if he was also to swallow black draughts to obtain peace for himself. Therefore, he looked at this measure, as at all other measures for the Government of Ireland, by itself. He asked himself whether it was just or unjust, whether it was a practicable and equitable proposal. The Chief Secretary and others were inclined to complain that the Opposition had departed from their first attitude in recognising that there was a social and administrative difficulty in Ireland. He did not think they had ever departed from that attitude. He was sure it would be admitted that every Member who had spoken from that (the Opposition) side of the House had recognised that there was such a difficulty to be settled. It was impossible to deny that after reading the Report of the Evicted Tenants Commission. Paragraph 38 of that Report stated that the economic fact of leaving evicted tenants without the means of obtaining a livelihood and permitting large

tracts of country to remain unproductive could not be ignored, and was injurious alike to landlords, tenants, and the whole community. They were, he thought, almost all agreed about that, but the contention of the opponents of the Bill was that its proposals were not practicable and equitable, that they contained in themselves a very bad and dangerous precedent, and that they would involve injustice towards those who deserved well for defending their own rights and the liberties of the people. He had never himself been able to see why the hon. Member for Tyrone should object so much to the Amendment moved, for, after all, it was only a matter of Parliamentary phraseology. The hon. Member's own Amendment declared that he was unable to proceed further with the consideration of the Bill. Whether that Amendment had been adopted or the Amendment of the hon. Member for Armagh, either would have had the same result—either would have wrecked the Bill. Personally, he (Mr. Fisher) was glad the hon. Member had had an opportunity of placing on record the views he held on the question of the Evicted Tenants, but he thought the views, as expressed by the hon. Member to-night, were, after all, the views of the hon. Members for South Hunts and the St. Stephen's Division of Dublin and the right hon. Member for Leeds, who was once Chief Secretary for Ireland; and he should like to say that the views of these Members were his own. He recognised that there was a social and administrative difficulty, and that there was need of some policy to meet the difficulty, and he was a supporter of the policy which had been advocated by all the speakers on the Unionist side of the House—namely, the policy of the re-enactment of the 13th section of the Act of 1891. He gave credit to the hon. Member for South Tyrone for adopting even a more specific policy and saying that £100,000 or £250,000 would be well applied if it were given towards some scheme for enabling tenants, with the consent of their landlords, to become the purchasers of their holdings. The hon. and learned Gentleman the Solicitor General had said that the policy of the re-enactment of the 13th clause of the Act of 1891 had been a failure; but the Report of the Commission said the

reason the invitation to settle differences had not been generally responded to was that negotiations generally broke off on the questions of costs and arrears. It seemed to him that the proposal made to-night by the hon. Member for South Tyrone would meet the very difficulty which had occurred in carrying that section into effect. The negotiations were previously broken off because the tenants had no faith in the landlords, and because they were unable to find the necessary amount to meet the costs and arrears. If he were to propose to take this money from the Church Fund, he would rather take it for the purpose suggested by the hon. Member for Tyrone than for that suggested by the framers of the Bill. He could not help thinking that if a voluntary policy had been adopted, if all compulsion had been eliminated, if a Board of Conciliation had been established to meet this difficulty, with this money at their disposal, and had worked in amity with landlords, settlements would have been arrived at in a great number of cases, and these would have gone a great way towards getting rid of all difficulties. Whilst he thought that at the same time he was bound to say that he did not treat lightly the danger of establishing such a precedent by giving money for such a purpose. He was well aware it would be a dangerous precedent, not only as regarded Ireland, but also as regarded this country. What, after all, had been the contention of hon. Gentlemen opposite? It was that this Plan of Campaign in Ireland was nothing more nor less than a kind of Trades Union dispute in a struggle for a living wage. In what position would he be as an English Member if he voted for the application of this money to this purpose? He was conscious that he would stand in a dangerous position. They had cases of great trade disputes in this country, and what would be his answer if it were proposed sometime hereafter to apply public money for the settlement of a great Trade Union dispute when disappointed labour leaders came and said, "You and your supporters, through your Home Secretary, have declared that these men were only struggling for a living wage. You have given it as your opinion that these people were sorely oppressed, and that they were fighting for something that, after all, was right and just," and if he were asked then,

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following the precedent of this legislation, to apply public money to reinstate the workmen in their homes, or to buy new furniture for that which they had been compelled to part with in the struggle, he would find the precedent very dangerous and a very difficult one to escape from. He could not make as light of the precedent as the Solicitor General had done. If Irishmen were allowed to look to Parliament to rescue them from the consequences of a Trades Union dispute and a contest with the law, Englishmen and Scotchmen and others would be likely to do the same. Recognising as he did that there was a social and administrative difficulty in Ireland, it was necessary to have some policy to meet this question; but he certainly should not go further than on voluntary lines. He should like, as the Member for South Tyrone had said, to see a Board of Conciliation established to proceed amicably with the landlords, and to place this money at its disposal to go as far as it would.

**MR. J. MORLEY:** The landlords and the tenants?

**MR. FISHER:** Yes; but the landlords were entirely neglected in the Bill. It was the tenants only who were considered. The Solicitor General said that the objection to that policy was that it was not compulsory, and, therefore, that it would not settle the question. But, after all, would the policy of the Chief Secretary settle the question? He (Mr. Fisher) fully expected that when the Bill got into Committee every argument which the hon. and learned Gentleman the Solicitor General urged would be brought up against them. They would be told that they would have to make this Bill compulsory upon the new tenants to clear out of their holdings, or there would be no settlement of the question. If the policy of the Opposition was found fault with because it would not settle this question, he said to Her Majesty's Government, "Neither will your policy settle the question." No Member who had spoken representing an Irish or an English constituency had held out any hope whatever that this Bill would settle the question. The hon. Member for the Harbour Division had said in his opinion it was totally inadequate to settle the question, and the hon. Member for East Clare had said that they would



have this state of things—on one side of the fence they would have a person re-admitted to his holding, and on the other side an evicted tenant who had not been re-admitted, and that there never would be peace unless these two evicted tenants were placed in the same position. The Solicitor General had objected to the arguments used in the very powerful speech of the hon. and learned Member for Trinity College, Dublin. He said the hon. and learned Gentleman had no right to say that the Bill would be unfair to the landlords, as they would have full compensation. Were they going to take care that all should have full compensation when they got into Committee? Would they give the landlord the same compensation which was given under the Parish Councils Act for land compulsorily taken for public purposes? Would they give him compensation for severance? because there would be many cases of severances if they sought to re-admit the tenants evicted from their holdings. The Solicitor General said the landlords could not complain, because they would have compensation. They would have two years' arrears. Would the right hon. Gentleman take care that what was promised by the Solicitor General was put in the Bill—that it would not be left to the mercy of the arbitrator? If he did that he would remove one very great objection.

MR. J. MORLEY: The landlord will be placed in the same position with regard to the land which the new tenant agrees to hand over as he would be with respect to the land already in his possession.

MR. FISHER was glad to hear that admission, but if the right hon. Gentleman would follow his hon. and learned colleague he would see that £250,000 would not at all cover the expenses which would have to be met. The Solicitor General went on to say that the new tenants need not consent to give up their land to the old tenants; but if they did, they too would be entitled to a considerable sum of money—to such a sum, in fact, as the landlords would have to give the tenants they evicted—namely, seven years' value of their holdings. Would the right hon. Gentleman consent to that in Committee? If so, he was sure he would have to place large sums indeed at the disposal of the arbitrators.

The Solicitor General said he did not understand why they should say that there would be a risk to the State. Well, it seemed to him that either the purchase must be made at such a low rate that the landlord would be robbed, or the price must be fixed at such a high price that the State must run a very serious risk. Certainly, if the promises of the hon. and learned Gentleman were carried out a very much larger sum than £250,000 would be wanted by the arbitrators. The Chief Secretary said that as there had been evictions on 5,900 holdings between May 1879, and May 1894, no action would be required with regard to 2,000, as the tenants had drifted into other employments. There were, according to Appendix G to the Report of the Commission, 1,000 tenants evicted since 1879, who were now labourers on railways, carpenters, blacksmiths, road contractors, living in Cork and other towns. It seemed to him that the Chief Secretary had no right to make the assumption that in 2,000 cases no action would be required. These old tenants might, and probably would, lodge petitions to be reinstated. It would cost them next to nothing, and there might be something to be got out of it. If the landlords were in possession of the holdings of these people the right hon. Gentleman would not debar them from the opportunity of establishing a *prima facie* case because they were now engaged in other occupations. Did he intend to give the rights contained in the Bill only to those who were living in huts outside their holdings on funds supplied to them? Why should not men engaged in other occupations take advantage of the Bill? But the right hon. Gentleman had seen fit to exclude them, and as a result the right hon. Gentleman might find himself face to face with considerable difficulty. Then, again, in some cases there might have been two or three evictions since 1879, and he thought that the arbitrators would find that a very difficult point. He must say he thought the Chief Secretary ought to have given them more accurate figures. The right hon. Gentleman had said that there would be a balance of some 4,000 cases to deal with a rental of £60,000, or an average of £15 each. The right hon. Gentleman ought to have had the amounts in the 1,000 cases in Appendix G added up.

MR. J. MORLEY said, he had the figures if the hon. Gentleman desired them.

MR. FISHER said, they were exactly what he did want.

MR. J. MORLEY said, he would give them when the time came.

MR. FISHER asked if that would be to-night?

MR. J. MORLEY said, he had the figures somewhere, but did not think he could put his hands on them at the moment.

MR. FISHER said, he did not complain of the right hon. Gentleman for not preparing them himself, as he knew the work he had to do. The total he (Mr. Fisher) believed would come to nearer £200,000 than £60,000. In some of those cases the extent of the holding was prodigious. The matter was very important indeed, because if it should turn out to be true that the rental of the estate was more like £200,000 than £60,000 the whole basis of the figures of the Chief Secretary would be badly shattered.

MR. J. MORLEY said, the estimate of £60,000 had been carefully calculated.

MR. FISHER said, that if he displayed any ignorance in the matter the fault was to be attributed to the right hon. Gentleman in not placing full information with regard to those figures before the House. However, if the right hon. Gentleman would examine the cases in Schedule A of the Mathew Commission Report he would find holdings of great extent, the rental of which ran from £50 to £300. Suppose they were going to place a tenant in possession of a holding which had been occupied by the landlord for 10 years, they must, in common fairness, give him a very large sum of money as compensation for the improvements he had effected in the holding. It must also be remembered that where a new tenant had been in possession for 10 or 15 years it would be reasonable to presume that he had been doing pretty well, and that, therefore, he would justly refuse to go except a considerable sum of money by way of compensation were paid him. If the new tenants did not go out, then no advance would be made towards settling the case of the evicted tenants. He believed that the right hon. Gentleman had miscalculated the time that it

would take for the arbitrators to get through their work. The right hon. Gentleman had quoted the fact that Mr. Justice Bewley, sitting as the Court of Appeal in the Land Commission, had during three and a-half years disposed of some 4,500 cases. Yes; but in all those cases Mr. Justice Bewley had the advantage of having them already heard by the Sub-Commissioners, and of having the evidence as to valuation, boundaries, and improvements already submitted. But how were the arbitrators under the Bill to act in cases from the Luggacurren Estate, for instance, where they would find part of the land in possession of the landlord, part actually purchased by a tenant-purchaser, and part in the occupation of a new tenant? How would the arbitrators deal with such complications, and what staff would be placed at their service? He was sure the right hon. Gentleman would find that instead of the two years which he had allotted to the arbitrators they would take six or eight years to get through their work. It seemed to him that by going so far back as the year 1879 the framers of the Bill had increased the difficulties to be faced unnecessarily, and would find themselves in an absolutely untenable position. He credited the right hon. Gentleman the Chief Secretary with the best intentions in the world; but he was convinced that the right hon. Gentleman by this Bill was proposing to do that which would greatly aggravate the situation in Ireland. Hon. Members on his side of the House wished very strongly to do something to alleviate the condition of the evicted peasantry, and they felt that that object could be best attained by means of a voluntary system, for the carrying out of which a certain amount of public money should, of course, be voted. They could not, however, support the present proposal, which he believed would, if accepted, do nothing to settle the question, but would set an evil precedent, and would work injustice and robbery amongst several classes in Ireland.

MR. DILLON (Mayo, E.): In the course of this Debate nothing, to my mind, has been more remarkable than the different spirit in which the opponents of this Bill have approached its consideration. One section of the hon. Members who have felt called upon to oppose the

Bill have undoubtedly and unmistakably taken up the position of *non possumus*. They see no evil in Ireland, and they desire no remedy. They have no sympathy with the sufferings of the evicted tenants, and they desire nothing but revenge. The larger number of the opponents of the measure have, I am happy to say, admitted the evil. They profess a desire to remedy that evil, and all they have to say in opposition to the Bill is that it is not the best possible measure that could be devised to meet the evil. Are we not entitled to ask those hon. Gentlemen who admit the evil and who desire a remedy to give to the House some inkling at least of the lines on which their remedy would proceed? One hon. Member, in the course of a speech in opposition to the Bill, made it a matter of complaint that for four years the time of this House has been largely occupied by successive proposals for the remedying of this evil and for bringing relief to the evicted tenants of Ireland. I beg to remind that hon. Gentleman and all those who agree with him that this question of bringing relief to the evicted tenants of Ireland will return year by year to this House, and that the past sad, and what ought to be instructive, history of Irish grievances will be repeated—namely, that this question will go on from year to year appearing on the floor of the House, and, no matter how often rejected, will come up again with an ever-increasing storm of public opinion, bitterness, and exasperation in Ireland behind it, and just as between 1870 and 1880 the measures which were proposed in this House for the relief of the general body of the tenant-farmers of Ireland and for the reform of the Land Laws were rejected with scorn until finally the demand for the reform came, not in the shape of a Bill proposed in this House by the Irish Members, but in the much more menacing shape of a terrible land agitation, which swept all obstacles before it, and compelled the Government to come to the relief of the tenants. Now, I think the first duty we have to perform in considering this question is really to satisfy ourselves as to what is the nature of the situation in Ireland, and the extent of the evil we have to cope with. Some of us had hoped that

on this occasion at least an effort might be made by both sides of the House to rescue this part of the Irish question from the conflict of Party passion and strife. Often have I heard Unionists say that the curse of Ireland is that Irish affairs have been made the instruments of Party warfare in this House, and yet here we have history again repeating itself. This question is approached not on its merits, but simply and solely from the point of view as to how much Party advantage and political capital might be drawn from it. We in this quarter of the House have often been charged with starting the Plan of Campaign for political purposes. I will have a few words to say about that before I sit down, but many Members on both sides of the House will feel that I am justified in hurling that charge at the heads of the Opposition to-night, because I believe, feeling fully the gravity of the statement I am about to make, that there are many Members in this House who will vote against this Bill who, if released from the fetters of Party discipline, would gladly give their votes for the reinstatement of the evicted tenants, and would be pleased to see them back again in their old homes, but who oppose the measure simply because their Party leaders think that some political capital may be gained by keeping those unfortunate people out of their farms. What is the state of things with regard to this question? You have a number of evicted tenants claiming reinstatement on grounds which I shall presently fully explain to the House. The Chief Secretary put the number of these tenants at 3,000, but I believe myself that when the cases come to be examined by the arbitrators that number will be considerably reduced, because many farmers claim to be reinstated who, when their cases come to be examined, will be found to have lost their holdings through their own faults, through negligence, incompetence, and idleness, and, of course, such men would have no claim for reinstatement. I imagine that the number of evicted tenants who would be considered in Ireland to have equitable claims for reinstatement would be about 2,500. That is, of course, a rough guess. It may be above or below the mark. But suppose we accept 2,500 as a fair estimate of the



number of tenants who may have a *prima facie* case for reinstatement under the Bill—what does that represent? It represents, we may fairly suppose, 10,000 children and 2,000 or 3,000 women, who are now, and have been for years, badly fed, wretchedly clothed, and still more wretchedly housed, and, as I have too great reason to know, having been for years in charge of the correspondence and business connected with this movement, exposed to storm and rain, with the water pouring down on their excuses for bedding in the winter seasons, and yet waiting patiently, relying on the sense of justice of this House which recent events have awakened in their breasts, which never found a place there before—trusting, I say, in the newly-awakened hope in the justice of this House that they would be dealt with in a sympathetic spirit. The 10,000 children at least are innocent. You accuse these people alternately, as the mood strikes you, in one breath as having entered into a conspiracy to defy the law, and in the next breath you accuse them of being the dupes of myself and my colleagues. Are these children and wives and widows conspirators? And are you going to wreak your vengeance on them for our crime? When I heard it charged against us in this House that these men did not willingly go into this combination, but were either duped by us or intimidated by us, I felt that that was an argument that would bring conviction to every humane mind that it was the duty of the House to bring relief to these dupes and victims. If that be the true view of this transaction, then it is on our heads the punishment ought to fall. Do you think you are serving the ends of justice, or that you are laying the foundations of peace and good government in Ireland by carrying out this horrible system of revenge, for revenge it is in the moral sense, on nine-tenths of the people of Ireland? If it be true, as you say, that injustice has been done these people by us, then I say that, from your own point of view, the punishment should be on our heads. [*Opposition cries of "Hear, hear!"*] Then back up that cry of "hear, hear." Vote for the reinstatement of these people, and do what you can against us. Perhaps I have received enough of punishment already, or nearly as much

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as my crime deserves. But, at all events, if punishment is to fall it is on me it should fall.

MR. DISRAELI (Cheshire, Altrincham): Hear, hear.

MR. DILLON: The hon and gallant Tory Member says "Hear, hear." Does he consider that the punishment of 10,000 innocent children is a satisfaction to him because he cannot punish me? Does he think that condemning 2,000 women and 10,000 poor children to starvation and misery is a manly way to strike at me?

MR. DISRAELI: We object to the relief being given by the Irish Church Fund.

MR. DILLON: Have I now discovered the measure of the opposition of the Conservative Party to this Bill? Is it that they object to the Irish Church Fund? If hon. Members object to the use of the Irish Church Fund perhaps they will pay for this out of English money; and remember when complaints are made of this proposal to use the Irish Church Fund that the money is not to go into the pockets of the evicted tenants, but into the pockets of the landlords in order to induce them to allow these unfortunate people to go back to the shelter of their old homes. I come now to say a few words on the able and adroit, but not very humane, speech of the right hon. Gentleman the Member for Birmingham. The right hon. Gentleman, who has lately developed a most extraordinary fancy for arithmetic, entered into an elaborate arithmetical calculation to show that we were on the horns of a dilemma—that we had either grossly exaggerated the number of evictions during the last ten years or else that the Bill is a delusion, a fraud, and a snare. We are not in any such dilemma. We have not exaggerated the number of evictions, because our information is drawn from the only source at our command—the official returns of evictions collected by the police, and issued by Dublin Castle four times a year. The right hon. Gentleman asked, "If it be true that so many thousands of farmers have been evicted in Ireland during these years, where are they?" God knows, I think the right hon. Gentleman might have spared us that question! Where are they? Why, that is a question that

goes to every Irish heart and arouses its passion and indignation. Is the right hon. Gentleman aware that within the last 50 years over 200,000 families have been evicted in Ireland? Where are they? Their bones are scattered over the earth and over the floor of the ocean, and if many of the farmers who have been evicted in Ireland during the last 12 years are not now to be found to claim to be reinstated in their home, why is it so? It is because they have been scattered. They are gone into the workhouse or into pauper graves, or they have crossed the Atlantic, like millions of their race before them, carrying an undying hate of the laws that drove them forth, a hate that often blossoms into crime and dynamite outrage; and it is because we want to dry up that horrible source of hatred, misery, crime, and ruin that we desire that Bills like this should pass and bring a home to the most unhappy and persecuted classes of the Irish people, who believe that in this House and in the hearts of the English people there are some feelings of sympathy for their misfortunes and misery. When the Mathew Commission sat there were only 3,000 evicted farmers that claimed reinstatement. In the powerful and admirable speech of the hon. Member for North Louth he gave reasons why a number of these families are not now forthcoming to make their claims. Many have been reinstated to my own knowledge in consequence of these combinations. Hundreds of families have been reinstated, and reinstated on favourable terms owing to their own exertions. I myself can mention one case out of a large number that came under my notice, and which I think when I mention the details of it will bring home to the minds of Members of this House the strong prejudice which exists against the practice of land-grabbing. This occurred about four or five years ago. A Protestant farmer in the County of Tipperary was evicted by his landlord. This farm lay vacant (although the entire body of the parishioners were Catholics) for five years. After that, three or four years ago, I got a letter, being then in charge of the defence organisation of the tenants, stating that if our organisation would advance the sum of £10 that the landlord would reinstate the man at half his original rent. I had the advance made, and the man

was reinstated after being five years out of his farm. That is a very instructive answer to another argument that has been used. It has been said, "What use is it to reinstate Lord Lansdowne's tenants—what good can they do?" A lot of good—very often owing to the assistance of their neighbours. In the instance I have mentioned the man was broken down in health, and I got him reinstated at a rent of £24, his former rent being £48. About 20 of the neighbouring farmers assembled on his farm, and in one day they ploughed the land, laid out manure and seeds, and laid down his crops for the ensuing year. These are the means by which these farmers would struggle on if they got anything like fair play. I believe if they were reinstated on anything like reasonable terms they would be better security to the landlords than any land-grabber that ever lived in Ireland. I have endeavoured to bring home to the minds of hon. Members the exact situation we have got to deal with, and when speakers allude to the uncertainty of the position and of the vague character of the problem, the answer to that is simply contained in this fact. The Mathew Commission was appointed to inquire into the claims of evicted tenants to be reinstated. They advertised its sittings in all the Irish newspapers in all parts of Ireland, and the result of these advertisements was that some 3,000 cases were listed as from applicants all over Ireland.

An hon. MEMBER: Four thousand cases.

MR. DILLON: There may have been 4,000 applications, but I have no doubt that many of these were bogus claims. Reducing that number by various checks and allowances you have 3,000 or more families in Ireland who claimed that they had an equitable claim, but at all events it must be admitted that their children are innocent and are deserving of some sympathy and consideration. A great deal has been said of the crime of these people and their guilt. Some of these people have been in a combination and some of them have not. I recollect when we were refused Home Rule so far back as 1886 many Conservatives and Unionists who voted against that Bill, speaking to myself personally, and saying, "If you will only give up this agitation for

Home Rule we will get it out of our way so that you can obtain everything you want short of Home Rule." What message are you going to send to Ireland now? We, the Representatives of the Irish people, believe that these evicted tenants are equitably entitled to reinstatement. If you go behind the Representatives of the people of Ireland and put this question to the vote of the people of Ireland whether this Bill ought to pass or not—have a *plébiscite* in Ireland, if you like—you would get a vote of six to one in favour of a more drastic measure. How are you going to go behind them? How do you propose to govern the people by force? Force will ultimately have to be used if you do not do justice to the Irish people. How do you propose to govern them by force when you have 2,000 families suffering under what the vast majority of the people they live among believe to be absolute injustice? Listening to some of the speeches made here by men who know nothing about Ireland, you might be inclined to think it was not unjust. It is not their belief that will count, but it is the belief of the people of Ireland, and if you set at naught the patent opinion of the overwhelming majority of the people of Ireland on a question which so vitally affects them—and it affects them most deeply next to Home Rule—I want to know how you are going to face the future? You cannot defend it. You have only one ground on which you can defend Unionist Government in Ireland, and that is that the moral opinion of the people of Ireland shall find expression in the legislation of this House. At the opening stages of this Debate we had a very remarkable and very powerful speech from the Member for Dublin University. That speech was characteristic of the Irish lawyer, and I may add of the Irish Crown lawyer. He declared, as he pointed the finger of scorn at the head of the Government in Ireland, that the Government would not provide the cost of preserving the peace in Ireland. An Irish Crown lawyer apparently does not care for peace that is maintained without cost and without spending money on lawyers. What is the truth of this matter? The truth of the matter is this: that the Chief Secretary for Ireland has been guilty of an intolerable and un-

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pardonable crime. He has maintained the peace of Ireland without spending any money on it. No wonder he should be anathema to every Crown lawyer in Ireland. No wonder the hon. and learned Member (Mr. Carson) should have shaken the dust off his shoes and left the country that was no longer worthy of his presence. The Coercion Act is repealed, and, horrible to relate, murders have ceased and crime and outrage are decreasing month by month, in spite of all the gloomy prophecies of the Front Opposition Bench. The hon. and learned Member has no future career open to him in Ireland, and consequently he has transferred his services to the hated Saxon, where I trust he will take ample revenge on the enemies of his country by intercepting large revenues which would otherwise find their way into the pockets of English lawyers. The present Government has allowed the Coercion Act to drop into disuse—

Mr. W. REDMOND: The Coercion Act may have dropped into disuse, but I would tell the hon. Gentleman that the Coercion Act still exists in my constituency.

Mr. W. O'BRIEN: It is a very different thing.

Mr. DILLON: I was only speaking of the Coercion Act, and I say it has dropped into disuse; and the Irish people, if they are treated with reason, can be governed with reason. The hon. and learned Member in his speech raised a tremendous outcry about the confiscation of the landlords' property and the landlords' improvements. He may calm his troubled soul about the landlords' improvements. You must first catch your hare. It is very hard to fix them, because you cannot find them. But he drew a most terrible picture of two alleged cases which he said he had investigated, and I noticed that his colleagues around him were affected almost to tears by the grievances of a lady whose case he referred to. We have no desire—nobody has any desire that there should be any confiscation, but the cases which the hon. and learned Member cited have no more to do with this Bill than house property in London. He used language, which has already been quoted by my friend the hon. Member for North Louth, to the effect

that if the action of the British Government was to confiscate improvements of the landlord, they would be justified in resorting to any and every extreme. What extreme did he mean? Physical resistance. What else did he mean, if he did not mean that? He said there was a point at which the patience of those who wished to be law-abiding must give way. How long ago was that point reached in the case of the Irish tenantry? When the property of the poor tenants of Ireland was confiscated, when they were driven out beggars into a cold world which had no compassion for them, when they saw their wives and children starving, and when they resorted to every extremity, he was ready to prosecute them, and to denounce them with the eloquence which I have so often listened to for disobeying the law. I have heard the hon. Gentleman declare that nothing justified disobedience to the law; but when the pockets of his clients in Ireland are threatened he is not ashamed to declare that in his judgment they would be justified in resorting to any extremities. In my opinion, the poor Irish tenants who were driven to starvation very often, and whose homes were broken up were far more justified in resorting to extremities than the friends of the hon. Gentleman. He wound up by pouring a torrent of invective upon the draftsmen of the Bill. I do not pretend to be able, nor do I mean to attempt to enter the lists with so accomplished a legal practitioner as the hon. Gentleman in his criticisms of the drafting of the Bill, but it appears to me as an outsider and as a layman that his criticisms were exceedingly absurd. He poured out the vials of his wrath and his ridicule on the clause which directs the arbitrators to take into account in giving their judgment all the circumstances of the district and of the tenants and of the eviction. But, Sir, what is the wording of the Act of 1881 on the point which the hon. Gentleman most ridiculed? It was that the Commissioners were to take into account the circumstances of the district. Then the hon. Gentleman proceeded to enlarge upon that criticism. By Clause 6 of the Act of 1881 the Court is directed in fixing a fair rent to have regard to the interest of the landlord and of the tenant respectively, and to consider all

the circumstances of the case and the circumstances of the district. Those words are the very phraseology of this Bill, and are taken textually from the Act of 1881, which has been the law of Ireland for the past 12 or 14 years, so that he was practising on the innocence of his colleagues in this House who do not understand Irish legislation. He then poured out all kinds of ridicule upon the expression "*primâ facie* case" for reinstating. He said that it was vague, and he talked a great deal of nonsense about the degree of resistance or non-resistance to the Sheriff, and as to the reasonableness or unreasonableness of landlord and tenant respectively. Has he sat in the Committee upstairs which is inquiring into the working of the Land Acts? Has he heard the evidence which has been given with regard to the directions to the Court for fixing fair rents? Is anything more vague or indefinite in this Bill, giving a wider discretion to the arbitrators, than the directions to the Land Courts and the Land Commission as to fixing a fair rent? The very same sneer as was levelled at this expression "*primâ facie* case" for reinstatement has been levelled at the expression "fair rent." And you will observe that there is this enormous difference: that whereas the powers proposed to be given to this Commission only deals with an extremely limited area, an almost infinitesimal proportion of property in Ireland, being confined within the limits of £50,000 or £60,000 a year, the fair rent clause affected the property of every man in Ireland, amounting in value to £4,000,000. This shows how exceedingly absurd the criticisms of the hon. Gentleman were. There was one other argument used by the hon. Gentleman which appeared to me to be a very foolish argument, and one which it would have been better, from his point of view, if it had been left unsaid. Alluding to words which this House would do well to pay attention to, which fell from the Chief Secretary, as regards the future peace and good order of Ireland, he said that such an argument was an argument in favour of mob law, and was equivalent to telling the people that if they would only commit sufficient outrages they would bring the questions which they desired to raise within the

sphere of practical politics. What has been going on in Ireland for the last 100 years, and what has been the ruinous lesson which has been taught to the people of Ireland? Keep quiet, obey the law, and you will obtain no money and no justice! Commit outrage and turn the whole country into a state of turmoil and confusion, and this country will immediately listen to you! I believe the hon. Gentleman's statement of the case, but I do not accept his application of it. I say it is a sinister, and cruel, and barbarous, and demoralising lesson that you have taught to the people of Ireland, not by word of mouth, but by your action and your policy now for three generations. Has there been outrage in Ireland during the last two years? Have the people been peaceable and quiet? Have they abided in patience and in trust the consideration of their case by this House, looking with confidence, as we have told them to look—and perhaps we may yet suffer for having told them so, and for having raised that hope in their breasts—for a better consideration of their claims? Because they have been law-abiding people are we to be sent back empty-handed, after two years of patience, to tell the people of Ireland that by being patient and law-abiding they cannot expect to obtain consideration? If anybody did that, would you be surprised if you found yourselves face to face in Ireland with another Plan of Campaign, or with operations such as those which were started by the Land League in 1881? The most ignorant person knows right well that if Ireland were in the state of turmoil in which she was in 1881 or in 1886 this Act would be rushed through the House. It is not £200,000 that you would higgie over, but you would be willing to spend £2,000,000 to restore peace. That is what we are to be compelled to fall back to after we have striven for the last ten years in the face of misrepresentation and calumny to bring peace to a country which you by your action had turned into a perfect hell upon earth. We have listened patiently to all the old stale nonsense about the Plan of Campaign. I have not the slightest intention of entering into the merits of the Plan of Campaign. I am not a bit ashamed of it. If any Tory gentleman desires to discuss the

Plan of Campaign with me, I will just ask him to step down to East Mayo in the autumn and discuss it with me before my constituents. It is a very pretty country, and I will promise him a fair hearing.

SIR E. ASHMEAD-BARTLETT.: Will the hon. Member discuss it in Sheffield?

MR. DILLON: Certainly; any day you like—in Sheffield or in any other city in England, not even excepting Birmingham. I will discuss it, always provided that the meeting is open to the public, and not a packed ticket meeting. Any day the hon. Member chooses to name I will go down to Sheffield and discuss it with him; but I do not propose to enter into the merits of that movement now, for the best of all possible reasons, that I have always maintained this position: that I will defend my action in regard to any movement to my own people at home, and when I find that the Irish people are inclined to blame me for anything that I have done in connection with past agrarian agitation, then I will stand upon my defence, and not till then. I am perfectly well aware of the true cause of all the vindictive animosity which was displayed by the Unionist Party against all those connected with the Plan of Campaign movement. It is solely and simply this: that at a time of terrible distress in Ireland, when a savage outburst of crime in that unhappy country would have checked the flow of English opinion towards Home Rule and the Tory Party were confidently looking forward to a renewal of crime and outrage in Ireland, the Plan of Campaign put a stop to it. [*Cries of "Oh!"*] That is the simple fact of the situation. You may deny it if you like, but it is the fact, and that is the reason why the Tories and Unionists are so hot and strong against the Plan of Campaign. As we carried the country through a time of great distress without any serious crime being committed, I am fully prepared to find that the success of such a movement is exposed to the bitter animosity and the uncompromising hatred of the Tory Party. It is quite natural that that should be so, because not one in the House can have failed to notice the titillation and the pleasure and excitement

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which has been caused amongst the Tory Party when somebody has been murdered or maimed in Ireland—[*Cries of "Oh!"*]*—it is a strong thing to say, but it is a fact—if anything occurs in Ireland is the nature of crime. Whereas in this country murders may occur by the dozen, and every sort of odious and abominable crime, and this House finds some more decent subject to discuss, there is not a crime in Ireland that is not made the subject of disgusting discussion in this House, and every effort made to get Party capital out of it. I say it deliberately. Sir, the speech of the hon. Gentleman the Member for Dublin University was hailed by all his colleagues as a triumphant and destructive criticism of the clause and of this Bill. [Cheers.] I expected that cheer; but will hon. Members be patient and listen for a moment to a very remarkable passage from a speech by the hon. Member for East Down, which is in quite a different tone? He said that "the Chief Secretary was trying to do an impossible thing in the worst possible manner—no case had been made out against the clauses of the Bill"? That is rather unfortunate for the hon. and learned Gentleman the Member for Dublin University. He does not seem even to have impressed his friends.*

**MR. W. JOHNSTON:** No; it is unfortunate for the Member for East Down.

**MR. DILLON:** That is a most interesting discovery. The hon. Member for East Down is now added to the black list because he has ventured to show some feeling of appreciation of the situation in Ireland and some compassion for these poor people. The Major-General of the Orange Society is going to vow a tenfold vow against the hon. Member for East Down. I venture to say that the Member for East Down will be able to give as good an account of himself as the hon. and learned Member for Dublin University. But that is not the only ground on which he is attacked. He said further that no case had been made out against the discretion with which the arbitrators were to be invested, or against the source from which the money was to be taken, and his opposition to the Bill narrowed itself down to the single point that 1,500 tenants would have to go out,

and that the Bill was an Eviction Bill as well as a reinstatement Bill. He has plainly not studied the Bill, because there is no provision in it for evicting any human being whatever. I would point out to the hon. Member for East Down that if it be true that 1,500 families would be dealt with in that way by this Bill that is no reason why 2,000 other families should be kept out of their homes, or those cases, at all events, should not be settled under the Bill. There was another remarkable passage in the speech of the hon. Member for East Down. He said—

"In every part of Ireland a man who took a farm from which another had been removed was called a grabber, and the natural dislike of grabbers has been stimulated by Nationalist speeches."

The right hon. Member for Birmingham (Mr. J. Chamberlain) says that the grabbers are the most respectable citizens of Ireland, but the hon. Member for East Down speaks of the natural dislike of them. Finally, the hon. Member for East Down said—

"If all the farms were vacated, and if they were to be re-occupied by those who could have paid and did not, I should have much less objection to the Bill."

Was there ever a more extraordinary comment on the speeches we have heard to-night in which the very opposite view was expressed? I think that the speech of the hon. Member for East Down has removed any effect that might have been produced by the speech of the hon. and learned Member for Dublin University. The fact is, the latter gentleman would, if this Bill were passed, be like a fish out of water—his occupation would be gone. Now, a few words in conclusion. I have listened with such astonishment as might be left to an Irishman who has sat in this House for 15 years to the charges of robbery and of spoliation which have been made in connection with this claim for reinstatement. Now, what is the ground upon which we claim this reinstatement? The right hon. Gentleman the Member for West Birmingham made it a charge against the Chief Secretary for Ireland that he did not enter into the merits of the case at all, and he did not. He simply said, as head of the Executive, he found a certain state of things prevailing, and he arrived

at the conclusion that it was necessary to produce a remedy. We, Irish Members, on the other hand, base our claim on a question of equity. What is our position? It is this: that the tenants in Ireland for the most part who desire to be reinstated are men who have been robbed of property which they equitably held, and which their fellow-tenants now legally hold, in the land by the laws of the country, they would have been able to obtain a legal right to that property if they had been able to hold their tenancies for a few years or months longer. In everyone of these cases, with a few exceptions, to which I allude our claim is simply this: that the men I have referred to should be dealt with equitably so as to bring them again into the same position as their fellow-tenants have been placed in, and thus undo the gross injustice which has been inflicted upon them. I now come to the classification of the tenants who are seeking reinstatement. They have been divided into three classes by the hon. and learned Member for Haddingtonshire (Mr. Haldane). I would beg leave with a more intimate knowledge of the facts to differ from that classification. Roughly speaking, there are four classes of tenants in the 3,000 cases in question. First of all, there are the tenants who were evicted before the Act of 1881 came into operation. That is the smallest class. There are a good many of them who have come under my knowledge, and there is hardly a man in this House who does not desire to see justice done to them. Secondly, there are the tenants evicted after the Act of 1881 came into operation, but who, owing to the accumulation of arrears at the unreduced rents, have never been able to procure relief under that Act. Can anything be more cruel than the injustice suffered by these tenants? They were brought within sight of the promised land owing to the great movement in which they and the whole body of tenants were involved, and yet owing to no fault of theirs they have never been permitted to enter it. These promise a very large number. The third class are the leaseholders evicted before the passing of the Act of 1887, or in consequence of the accumulation of arrears prior to the passing of that Act. The fourth class are the tenants evicted owing to the

agrarian agitation or to combinations which caused the passing of the Acts of 1881 and 1887. They include the tenants evicted in consequence of the No-Rent Manifesto and the Land League and in consequence of the operations of the Plan of Campaign. The hon. Member for North Louth (Mr. T. M. Healy) showed quite clearly that the right hon. Member for West Birmingham, who has denounced in the most lofty style any truckling to a criminal conspiracy such as the Plan of Campaign, did actually, by means of a secret treaty, concluded behind the backs of his colleagues, with men who were lying in gaol at the time, assent to a draft Bill by which £1,500,000 of public money was to be set aside for men who had got into difficulties for acting upon the No-Rent Manifesto. And yet the right hon. Gentleman has the courage to denounce the Chief Secretary for Ireland for daring to make an attempt to relieve these men who have been described as our victims and dupes. It is perfectly plain that the principle of this Bill has been already recognised by the House. The precedent has been set of endeavouring under a flag of truce, as it were, to relieve the wounded after a great struggle when the principle for which that struggle was started has been recognised by the House. I have no doubt that some of the Plan of Campaign tenants who were evicted could have paid their rents, and they were evicted owing to the attempt they made to shelter and shield their fellow-tenants who could not pay. I would ask the House to listen to some evidence given at the time the Plan of Campaign was started. Judge O'Hagan, who was then head of the Land Commission, when questioned at the Cowper Commission as to his experience in Ireland, said—

“I wish to say, Sir, that in my judicial experience, looking at the matter as the judge administering the Land Act in Mayo, in Kerry, and in Clare, I found rack-renting to prevail to an extent which, I confess, I thought was simply shocking.”

Sir Redvers Buller, who was sent over by the then Unionist Government to put down crime in Ireland, and who might be regarded as prejudiced on the side of the landlords, said—

“My view of the country is this—that the majority of the tenants mean to pay their

*Mr. Dillon*



rents, and where they can pay them they do pay; but the rents have been too high. I do think they are too high."

I would remind the House that when there was such a state of things in the past an immense quantity of evictions occurred and a terrible outburst of crime. I want to know if there has not been serious crime, as there has not, who are to be thanked for it but the men upon whose heads you have heaped every form of opprobrium and calumny and insult? Anyone who studies the terrible history of agrarian agitation in Ireland must be forced to the conclusion that the Plan of Campaign is nothing when compared with the secret societies and the crimes which have invariably marked the course of previous agitations in Ireland. Well, nobody denies the existence of the evil against which this Bill is directed. That evil involves the threatened starvation and ruin of these tenants and their families. Ten thousand women and children look to this House for mercy, and they ask for justice and for some sympathy. They at least have committed no crime. Are you prepared then, I ask, for purposes of Party capital and political vengeance, or, to use the words of a great Unionist leader, in order to "crush and humiliate"—as you think you will—"two discredited politicians," to starve, persecute, and drive to madness 10,000 innocent women and children? I say if you do you will commit a great crime against humanity. The gratification which you hope to draw from it in the suffering which I admit you will inflict on me will be unworthy of you as Englishmen. Try, for once, if you honestly believe in the possibility of maintaining a Unionist Government here and in Ireland, to do something to conciliate the confidence and the love of our people. Try, for once in the history of your House, to do something for Ireland that will come home to the hearts of her people as an act of generosity. I do not promise that anything you can do will make them forget their national rights; but this I will say—that if I were an Englishman and a Unionist I would gladly avail myself of this opportunity of cutting the ground from under the feet of Irish agitators, and of bringing home to the minds of the people of Ireland, who never have had any reason to

put confidence in this House or in the Government of this country, that there is some sense of justice to be found here.

SIR E. ASHMEAD-BARTLETT (Sheffield, Ecclesall) said, the hon. Member who had just sat down had delivered one of those remarkable speeches with which the House had been familiar in the past, and with which audiences in the country were even more familiar. The hon. Gentleman had confined himself mainly to two points. He had repeatedly put before the House, in tones of tragic pathos, the 10,000 women and children whose future he represented as depending upon the passage of the Bill. His other point was a personal and a most unworthy attack upon the hon. and learned Member for Dublin University (Mr. Carson). In putting before the House the picture of the women and children of the evicted tenants, the hon. Member had reminded him very much of the proceedings of those mobs of violent persons who used to place in the forefront of their onslaught upon the emergency men and the police the women and children of their locality. After they had been reviling and stoning the police and the emergency men, and when it came to a real question of physical struggle, these valiant men were in the habit of putting forward the women and children of the neighbourhood in order by their intervention to escape any just retaliation which awaited them. The hon. Gentleman omitted to state that if there was a man in the country or the House who was responsible for the sad position of these women and children to-day it was the hon. Member for Mayo (Mr. Dillon). He it was who, by his incitement to lawlessness, caused the original troubles which led to the evictions. He was the man who told the country that he "could show them men who could pay their rents, but who would not pay, because he had told them not to pay." He was the man who told men who took vacant farms that their "lives would not be happy, either in Ireland or across the Atlantic." He, above all others, was responsible for any misery that at present existed in consequence of these evictions. It ill became the hon. Member to come down to the House and threaten the Unionist Party with charges of the kind he had

levelled against them. The hon. Member said if the Bill was not passed there would be an avalanche of crime such as that which overran Ireland in 1880, 1881, and 1882, and he appealed to the House to pass the Bill on the ground that Ireland was now comparatively free from crime and outrage. The hon. Gentleman had also made the astounding statement that the Unionist Party had produced hell upon earth in Ireland. But, when the Unionist Party went out of Office in 1892, Ireland was in a state of peace and satisfaction, and the hon. Gentleman must have been thinking of the condition of the country when he and his friends had practical control of the policy of Ireland and of the British Government some 10 years before 1892. He must have been thinking of the agrarian agitation of 1880-1-2, which was a disgrace to civilisation, and when a hell upon earth did prevail in Ireland. There were 10,400 agrarian crimes in Ireland in the space of those three years in consequence of the adoption by the Radical Party of the very policy which the hon. Member for Mayo and his friends were now pressing upon the House. This was the policy, the keynote of which was the chapel bell, a policy which the hon. Member wished to see re-established again. The hon. Member wished them to pass this Bill in order that it might be told to every tenant in Ireland and every dishonest conspirator there that they had only to be lawless enough and to defy the law of the land sufficiently to have a large sum of public money voted for their relief. It seemed to him (Sir E. Ashmead-Bartlett) that this question had been discussed too exclusively as an Irish question. He opposed the Bill because he believed it to be absolutely dishonest and wrong in principle; because it would be disturbing and disastrous in practice; and because it would utterly fail to achieve the results which its authors claimed for it. He opposed it also, because he believed that, looking at the policy of the Government as a whole, and looking at the claims of Great Britain as well as those of Ireland, it was unjust to the British people. He opposed the grant of £250,000 out of public money for the relief of Irish lawbreakers. They had

found it impossible to obtain any attention from the Government for the terrible distress, both industrial and agricultural, which prevailed in this country. He (Sir E. Ashmead-Bartlett) asserted that when the Government refused all attention to the claims of the working classes of England and Scotland, when they refused even to discuss the suffering which existed in this land amongst thousands and hundreds of thousands of people who were on the brink of starvation, there was no sufficient ground for the proposal of this measure for the relief of a dishonest section of the people of Ireland. That argument received very slight attention from hon. Gentlemen opposite, but let him warn them that it would receive much more attention from their constituencies and the electors of this country. The hon. Gentleman the Member for Mayo rashly offered to come to Sheffield, the constituency which he (Sir E. Ashmead-Bartlett) had the honour to represent, and to defend the Plan of Campaign and this Bill before an audience of people of that great city. He could tell the hon. Gentleman and hon. Gentlemen opposite, who were not Irishmen, but English Radicals, that they could not stand up in their constituencies, or in any great town in the country, and defend this Bill. They could not defend this great Vote of public money for the relief of a most undeserving section of Irish people, while the claims of the English and Scotch working classes were totally cast on one side. He invited hon. Members, when they visited their constituencies, to address themselves to this question. This Bill would fail to achieve the results for which it was designed. He (Sir E. Ashmead-Bartlett) had listened with interest to the speech of the Solicitor General, and it seemed to him that the hon. and learned Gentleman had made the only practical attempt that had been made in the course of the Debate by the advocates of the Bill to defend the measure. Of course, he excepted the speech of the right hon. Gentleman the Chief Secretary, who introduced the measure; but he was bound to say that the Solicitor General endeavoured to make a more practical and detailed defence of the Bill than its author and introducer had made. He (Sir E. Ashmead-Bartlett), however, affirmed that the

*Sir E. Ashmead-Bartlett*

measure was unjust to all parties whom it affected, except possibly to a small section of the tenantry of Ireland for whose ostensible relief it was introduced. He would take first of all the class for whose relief it was introduced. The Plan of Campaign tenants were the class of all others in Ireland who least deserved consideration from the House. There was no special trouble or distress in Ireland. It was comparatively peaceful, because the Government, and the Irish Party who depended on the Government, had to maintain an appearance of peacefulness, so he refrained from drawing any argument from that fact. But the Plan of Campaign tenants, he would repeat, were the class of all others in Ireland who least deserved the consideration of the House. They incurred their losses and sufferings deliberately. They went out of their tenancies, when most of them were well able to meet their liabilities. Some went out at the persuasion of their leaders, and others under terrorism. He would remind the hon. Member for Mayo that when the tenants on several estates were willing to settle and come to terms with their landlords, they were prevented by the operation of outrage and terrorism applied under the direction of himself and his friends from coming to terms and so from remaining in their holdings. The Glenbeigh tenants owed some £6,150, and they were offered complete release if they paid £900, which was to include the whole of their arrears and law costs. The Glenbeigh tenants were in favour of accepting this offer when they were prevented from doing so by the pressure and terrorism exercised by the agitators of whom the hon. Member for Mayo was the principal. Glenbeigh was a typical instance, and a proof that these evicted tenants were not specially worthy of the attention of this House. With regard to the landowner, he had gross injustice done to him under this Bill. His right of ownership was taken from him. No adequate provision was made for him in cases where he had spent large sums of money upon the holding, and he might be compelled to reinstate, against his will, a dishonest or insolvent tenant. With respect to the new tenant, there was not a new tenant in Ireland who, if he was courageous enough to resist the application for reinstatement by the man who, either through insolvency or dis-

honesty, might have been out of his holding 15, 12, 10, or 6 years, that would not be made to suffer bitterly in his person and property. His life, to quote the Member for Mayo, "would not be a happy one either at home or if he crossed the Atlantic." The new tenant would be subject to terrorism, boycotting, and outrage. His family would be threatened, his property would be endangered, and his position would be rendered intolerable. The unwritten law of the League would be applied to him in such a way that the clauses in the Bill that gave him a nominal protection would prove to be a dead letter. He opposed this Bill because it would set a bad example not only to the people of Ireland, but to the people of this country. It was the crowning specimen of a long policy of paying blackmail to lawlessness, which had worked such injury and ruin to Ireland in the past. It would unsettle everything and settle nothing. It would raise hopes which were impossible to be fulfilled. It would encourage the thriftless and the lawless at the expense of the industrious and law-abiding. It would be felt to be a great injustice to the people of England and Scotland. Owing to economical causes, there was more suffering, more want of employment, more misery in England and Scotland, than could be found in Ireland at this time. The poor of this country had borne their suffering with a courage and patience which merited all commendation; they had not terrorised women and children; they had not boycotted their neighbours, or mutilated cattle. They had not committed any of those odious outrages which had so often disgraced the history of agrarian revolution in Ireland. He asked Her Majesty's Ministers what the feelings of the suffering working classes of this country would be when they found that a deaf ear was turned to their complaints, and that no sum of public money was voted for their relief, and not even a single day of sympathetic discussion was afforded to their troubles and complaints. What would the British people say when they found that £250,000 of public money at the outset, and very much more before this question could be settled, was to be given to relieve the wanton and reckless conspirators of

that criminal conspiracy, the Plan of Campaign?

MR. A. J. BALFOUR: Mr. Speaker, I think it will be generally admitted after the Debate to which we have listened now for three nights that the Bill of which the Second Reading is now proposed for our acceptance is one which is, from the nature of its provisions and from the consequences which are likely to flow from it, the most important which the Government have laid before us during the whole time in which they have held Office in this country. And yet I notice that to defend their Bill in the whole course of that three nights' Debate no Cabinet Minister had risen to support the Chief Secretary, and, so far as I can observe, no Cabinet Minister has been marked out, during the short time that remains to us before the Division is taken, to defend the course for which the Cabinet, as a whole, are responsible. On whom, Mr. Speaker, has the burden fallen of defending this Bill? Not, at all events, up to the present moment, on the Chief Secretary, who only gave us at the very beginning of this Debate a brief speech of some 20 minutes, principally occupied not with the main principles of the measure but with certain alterations which he intended to propose in Committee when we came to discuss the clauses, and after he had sat down, except the Solicitor General to-night, an English Law Officer, the whole responsibility for defending the Government proposals has been thrown upon the shoulders of two Irish Representatives—the Member for East Mayo, who spoke just now, and the hon. and learned Member for Louth, who spoke earlier in the evening. I think the speeches delivered by these two gentlemen were instructive. They showed the exact amount of argumentative support which this Bill is going to derive from Irish Members. The hon. Member for East Mayo—I have to admit that I did not hear his speech, and I therefore shall be very chary in criticising it—I understand devoted no small portion of his remarks to explaining to the House the reasons, very interesting personal reasons, no doubt, which he attributed to my hon. and learned Friend near me for leaving the Irish Bar. My hon. and learned Friend was an ornament to the Irish Bar, and is an ornament to

the English Bar; but I do not know that his biography is the subject under discussion at the present moment, and whether he did or did not render great services to the Government of Ireland, of which I was the responsible Minister in this House, may be a matter of moment to me, and is indeed a matter of gratitude to me, but is not a subject relevant to the discussion now before us. The hon. and learned Member for Louth, who, I think, is not in his place, delivered a long speech. It was intended, I imagine, to be a reply to the speech delivered just before him by my right hon. Friend the Member for West Birmingham. The Member for Louth's speech was neither a reply to the speech of the right hon. Member for West Birmingham, nor was it relevant, through three-quarters of its length, at all events, to the Bill now before us. It was neither relevant nor was it accurate. He devoted his time to giving a sketch of the land legislation for Ireland since the year 1881, and I venture to say that his sketch was neither pertinent to this Bill nor was it accurate in itself. I do not like to hear these statements repeated over and over again in this House about the land legislation for Ireland that we have passed without dealing with them in some shape or another, but the fictions and misrepresentations on this subject which various Members, chiefly the hon. and learned Gentleman to whom I have alluded, but also some hon. Gentlemen opposite, have thought proper to give to the House—many of the Members of which probably did not bear in mind the details of that legislation—this history is so fictitious that I do not venture to occupy the time of the House in exposing all the errors into which these hon. and learned Gentlemen have successively fallen. One statement of the hon. and learned Gentleman, which was dwelt upon by him at great length, is such an admirable specimen of the kind of narrative to which we are treated upon this subject from gentlemen below the Gangway, and from those who sympathise with them on the other side, that I must, at all events, call sufficient attention to it to note my own disagreement with the statement of the learned Gentleman. His whole speech was an indictment against our attempts to legislate

*Sir E. Ashmead-Bartlett*

for the Irish tenant, and his principal example of our incapacity was based upon the fact that tenants who had applied for a fair rent were, owing to the press of business in the Irish Land Courts, prevented year after year from getting that fair rent fixed, and that during all these years, before a fair rent was fixed, they were the helpless victims of landlord tyranny, liable at any moment to be turned out on the hillside with their families, deprived of their holdings and their means of livelihood. The learned Gentleman must have known, when he made that statement, that he was misleading the House of Commons. He knows, no man in this House knows better than the learned Gentleman, that the tenant, after having applied for a fair rent, could not be turned out of his holding without the leave of the Court. What folly it is to tell us that we are incapable of legislating for Ireland in regard to these questions between landlord and tenant. What folly it is to tell us that we have made mistakes when, as a matter of fact, these mistakes have not been made, and when it stands upon the face of the Statute Book that the very difficulty to which the hon. and learned Gentleman referred has been amply provided for—[Mr. T. M. HEALY: No, no!]—and that no tenant who applied for a fair rent could be turned out of his holding at the mere will of his landlord, but that the consent of the responsible Court was to be required first. [Mr. T. M. HEALY: Nonsense.] The learned Gentleman is civil enough to describe that statement as nonsense. I will give him the opportunity of refuting it at the present moment.

Mr. T. M. HEALY: I presume the right hon. Gentleman is referring to the section of the Act of 1887.

Mr. A. J. BALFOUR: 1881.

Mr. T. M. HEALY: 1881. The right hon. Gentleman refers to the 13th section.

Mr. A. J. BALFOUR: Certainly.

\*Mr. T. M. HEALY: I say the 13th section does nothing of the kind.

Mr. A. J. BALFOUR: What the 13th section does is to enable a tenant who has applied for a fair rent and against whom a writ of ejectment has been issued to apply to the Court for a stay of eviction. What more can you ask for?

\*Mr. T. M. HEALY: I will tell the right hon. Gentleman that it has not been availed of. It was sought to be availed of in one case, and from that day to the present it has proved absolutely inoperative. The right hon. Gentleman must establish the proposition which he calls upon me to deny or defend. I should be happy to do so. But he has established nothing. I challenge any gentleman to show any proposition of the kind he refers to. The provision in his own Act of 1887 is much more to the point.

Mr. A. J. BALFOUR: What I stated was absolutely accurate, and what the learned Gentleman has stated is absolutely without foundation.

Mr. T. M. HEALY: Read the section.

Mr. A. J. BALFOUR: I have not got the section. But will any gentleman on that Bench deny that this 13th section of the Act of 1881 did give the tenant power, if he applied for a fair rent, to prevent the writ of ejectment being enforced against him unless the Court pronounced on the matter?

Mr. T. M. HEALY: I deny it.

Mr. A. J. BALFOUR: I assert it. I assert what is more, that innumerable cases—many cases—have been decided under that section.

Mr. T. M. HEALY: One only.

Mr. A. J. BALFOUR: Many cases have been decided under that clause, and it has not been left by the Irish tenants, as some other clauses perhaps have been, a dead letter. But that reminds me—Are we responsible because the Irish tenants do not take advantage of our legislation? The hon. and learned Member for Haddingtonshire made a very able and interesting speech upon this Bill on Friday last, and he admitted that certain clauses in the existing Acts of Parliament would have met the case of the Irish tenant. But he said that "the Irish tenants made it a point of honour not to avail themselves of it." Is our legislation to be moulded, not by the necessities of the case, but by the fancies of one set of people and the political necessities of another set of people? No, Sir, this House can only be asked to deal, and to deal in a reasonable spirit, with the necessities of the case; and if we have provided clauses in our Bill adequate to protect the Irish tenants it is childish to come down to

this House and tell us that the Irish tenants, through a point of honour, have refused to avail themselves of the provisions, and that therefore a new land tribunal must be added to the existing land tribunals by which their interests are to be protected. But I have not merely to complain of the hon. and learned Gentleman for being inaccurate. I have also to complain of him for being irrelevant. He went through, in his long narrative of Irish legislation, a great many matters which have nothing to do with what we are concerned with, and only one Bill did he mention for the sole purpose of founding on it a *tu quoque* argument against the right hon. Gentleman the Member for West Birmingham. What was his one debating point against that right hon. Gentleman? It was that in 1882 the Government of the right hon. Member for Midlothian, of which the right hon. Gentleman was a member, passed an Arrears Act which was a measure far more extreme than the present Bill, larger in its scope, and containing a greater violation of known principles. In particular, the hon. and learned Gentleman attempted to make out that under the Arrears Act of 1882 there was a parallel to the provision in the present Bill by which the landlord was compelled to take a tenant of whom he did not approve. Sir, there is not a word of truth in that allegation. The hon. and learned Gentleman is entirely in error. The Arrears Act of 1882 was absolutely voluntary. [Mr. T. M. HEALY: No.] That Act was voluntary in the case of every tenant whose connection with the holding has been finally severed, which is the case of every tenant under this Bill. [Mr. T. M. HEALY: No.] For all that class of tenants the Arrears Act was absolutely voluntary. [Mr. T. M. HEALY: No.] The hon. Member has got one Statute; let him get the other.

MR. T. M. HEALY: Will the right hon. Gentleman allow me to read the Statute I have got, and I will convince him on that point, at any rate.

MR. A. J. BALFOUR: We will come to that.

\*MR. T. M. HEALY: You are trying to deceive the House. [*Cries of "Order!"*]

*Mr. A. J. Balfour*

MR. A. J. BALFOUR: We can come to that point of the argument, which I have now passed, later, and the hon. Member will then have an opportunity of explaining. I am now making a new statement, and hope he will contradict me before I have left this part of the argument. What I now state is that the Arrears Act of 1882 as between landlord and tenant was purely voluntary in the case of every tenant who had finally severed all connection with his holding. [Mr. T. M. HEALY: No.] That is accurate, then. In what respect was it not voluntary? Only when the six months' redemption had not passed, or when the six months' had been extended by the Court; or, in other words, it was only not voluntary cases where the tenant still had a lien on the holding and still had a right to reinstatement. That is an accurate statement of the law. How, then, could the hon. and learned Gentleman have the face—have the courage to attack the right hon. Member for West Birmingham for having given a precedent in the Arrears Act of 1882 for the powers sought to be acquired by this Bill of forcibly reinstating an ex-tenant, a man who has no further connection with the holding, against the will of the owner of the land? Although I do not admire the Act of 1882, or think it was an Act which on the whole tended to agrarian settlement in Ireland, still, whatever its merits or demerits, it is no precedent for the extraordinary legislation now proposed. There is one characteristic common to the speeches of the hon. Members for Mayo and Louth, and that is that they have carefully avoided either to defend the provisions of this Bill as it stands or to show that the provisions of the Bill as they stand are likely to be a final settlement of the question. They have said a great deal about past failures of England to legislate for Ireland, and they have attacked both Parties in this House. They have delivered their invectives against the Member for Midlothian and others, but have we not some right to ask them to make some defence of the Bill—to make some attempt to show that if the Bill is passed the agrarian question in Ireland will be finally settled? These gentlemen, and especially the Member for Louth, have fought very shy

of the Plan of Campaign. The hon. Member for Mayo said the Plan of Campaign was a matter on which he only talked to his constituents. The hon. Member for Louth may or may not talk to his constituents about it, but he certainly does not talk about it here, and it was left to gentlemen like the hon. Member for Northamptonshire to explain to the House that there might be a slight taint of illegality lingering here and there about the folds of the Plan of Campaign, but that, on the whole, the circumstances were such that much ought to be forgotten, and that we should not visit with too heavy a judgment any slight infractions of the criminal law which the Irish tenant might have been tempted to commit. The hon. Member for Cork said, "No one knew it was illegal until seven weeks after it was started"—an example of innocence which his enemies admire—if he has enemies—and which his friends wonder at. Though I do not think it strictly relevant to this discussion, I cannot allow to pass the defence now repeated for the thousandth time that the Plan of Campaign was justified by the fact that Mr. Parnell's Bill of 1886 was not passed. That is a statement which some people believe to be true because it has been said so often. It was originally invented by people who were very desirous of making themselves the allies of hon. Gentlemen below the Gangway, but were yet rather scrupulous about committing themselves to a proposition which would bring them into direct collision with a decision of a Court of Law. They have consequently been driven into the most astounding perversion of history which I remember in my time, and which nobody could accept unless for the reason that mere repetition has made that which was originally extravagant and absurd almost plausible and commonplace. What is the statement? It is this—and I really need do no more than repeat it to the House. The Member for Midlothian's Government was in Office during the whole first seven months of 1886. They went out of Office in July. While they were in Office they proposed a Bill for giving Home Rule to Ireland, and one of the propositions in that Bill was that the Irish tenants and the Irish landlords should have the right

to sell their property at 20 years' purchase of the judicial rent. They went out of Office in July, and were succeeded by the Government of which I was a Member. In September of that year Mr. Parnell brought forward a Bill in which he asked the House to deal, in the first place, with arrears, and, in the second place, with judicial rents. The Bill was rejected, and we are told that the rejection of that Bill has been the prolific mother of all subsequent land troubles in Ireland. What had happened in the interval between the Government of the Member for Midlothian going out and our coming in to reverse and revolutionise the whole position of the tenantry? If it was just to vote in June for a Bill which enabled the landlord to sell at 20 years' purchase, what was it made it not only mistaken and foolish, but criminal, in September to refuse to tamper with the judicial rents? The thing is grotesque on the face of it. It is unnecessary to go into the details of the question. The fact that you were in Office, and held these views about judicial rents, for the first seven months of 1886 makes it perfectly certain either that we were not criminal in rejecting Mr. Parnell's Bill in September, or that, if we were criminal, you and we should be hanged on the same gallows.

CAPTAIN DONELAN: How about the failure of the harvest?

MR. A. J. BALFOUR: I thank the hon. Member for that observation. Mr. Parnell never based his Bill on the harvest; he based his Bill on the fall of prices, and the fall of prices did not happen between June and September of 1886. The fall of prices was a phenomenon known to gentlemen opposite as well as to us; and it is perfectly preposterous to try and make a distinction between the course they pursued and the course we pursued. If any evil resulted, they as much as we are responsible for it. But, Sir, in this connection I should like to ask a question of gentlemen below the Gangway. They say the Act of 1887, if it had had the good fortune to pass in 1886, would have prevented all the subsequent troubles. Are they prepared to exclude from the benefits of this Bill everybody evicted after 1887? That is a very important question, of which I think we may hear a good deal in Committee.



They are not so prepared, and I will tell the House why. They make a great pretence of saying that the absence of legislation, like that of 1887, was the justification for the Plan of Campaign. Now, three-fourths, I believe nine-tenths, of the evictions that took place under the Plan of Campaign took place after all the privileges conferred by the Act of 1887 were in possession of the tenants. They could have done all that the Act of 1887 enabled them to do. They could have stayed evictions until the Court had pronounced upon them; they could have had their arrears spread over such time as the Court thought fit; and the enormous privileges which that Act gave to the tenants were given to them before they chose to leave their holdings. [*Cries of "No, no!"*]

MR. W. O'BRIEN: Yes. Will the right hon. Gentleman deny that on one estate—the Ponsonby Estate—out of 200 tenants who had sent in notices under the Act of 1887, 60 were served with "eviction-made-easy" notices, and had their rights destroyed?

MR. A. J. BALFOUR: It appears to me that no stronger case could be given in support of my argument than the case which the hon. Member puts to me. I said that nine-tenths of the tenants were evicted after 1887; and how does the hon. Member meet that? By saying that on an estate, which he has chosen as the best for his case, 60 out of 200 tenants could not avail themselves of the Act of 1887? That shows that 140 of the tenants on that estate could have availed themselves of the benefits of the Act had they chosen to do so.

MR. W. O'BRIEN: If the right hon. Gentleman will allow me, I will give him another case. On the Mitchelstown Estate, of 500 tenants, who claimed under the Act, not one of them would have acquired a single right under the Act, if I had not gone to gaol to save them.

MR. A. J. BALFOUR: I daresay that the hon. Gentleman may have saved the rights of the tenants by going to gaol, but I say that they would have been much more effectually saved if they had taken advantage of the Act of 1887. These are facts of which the House can easily obtain cognisance, because they

are contained in the Report of Mr. Justice Mathew's Commission. It appears that upon the Ponsonby Estate there were only nine tenants in all who were evicted before May 27th, 1887. That appears to me to lie on the face of the Return. I have looked at it hastily and, of course, I may be wrong. If only nine tenants were evicted before 1888 it is clear that the whole of the residue must have availed themselves of the Act we passed in 1887.

MR. W. O'BRIEN: Those nine cases are cases of physical and actual eviction. I spoke of at least 60 cases in which there had been originating notices under the Act of 1887, and who were served with "eviction-made-easy" notices which destroyed them.

MR. A. J. BALFOUR: The hon. Member appears to base his statement on what the tenants intended to do. I am telling the House what actually occurred at it appears by the Parliamentary Return of the Commission. It appears that only nine tenants were actually evicted on that estate before 1888. Certainly we shall ask the House, when the Bill comes to be discussed in Committee, to confine its operation to those tenants only whom hon. Members below the Gangway think ought to have had the advantage of the Act of 1887 before it became law. I protest against the view that we have got not only to meet Irish grievances but Irish fancies in relation to this question. The hon. and learned Member for Haddingtonshire argued, in justification of the Bill, that the Irish tenants had made it a point of honour not to take advantage of our legislation. The fact, therefore, is that when we get this temporary Board of Conciliation, or whatever you like to call it, it will act for the purpose of meeting, not the necessities of the case, but the points of honour of the Irish tenants. I have been trying to think what class of the community will be benefited by the Bill. I will not go through them all—the time at my disposal is too short—I will hurry over them, and will begin with that most injured individual, the British taxpayer. What will he gain by the Bill? He will gain the possession of a very large number of insolvent tenants without the guarantees that hitherto have been thought necessary before he became a landlord at all.

*Mr. A. J. Balfour*

**MR. J. MORLEY :** Before he became a landlord ?

**MR. A. J. BALFOUR :** Before he became a mortgagee. The Solicitor General surprised me very much in this connection. He asked what there was in this Bill which made the purchasers who were likely to become debtors to the State less desirable debtors than those who purchased under the existing Land Purchase or Ashbourne Acts. What, the hon. Gentleman asked, made the security worse ? I will tell him. It lies on the surface of the Bill, and requires no recondite research to discover. There is less outside security under this Bill, and the men themselves are beggars. We are all ready to have bankrupt debtors if there is good outside security, and are prepared to have debtors without outside security if they are solvent. But this measure at once deprives us of the security which the debtor provides and of that which the Act provides. These men are bankrupt. Either they were unable to pay rent when they left their holdings, or, being then about to pay, they must now, having been out of their holdings for a number of years, have dissipated or lost by the processes of eviction such capital as they once possessed. In those circumstances the debtor himself cannot provide sufficient security. But under the Land Purchase Acts there was an outside security. The selling landlord was obliged to leave one-fifth of the purchase money as a security. That fifth is not exacted under this Bill. You propose to saddle the British taxpayer with a number of tenants who can neither pay themselves nor find security for their payments. That is the burden on the taxpayer ; but, in addition to that evil, the Bill will produce the evil mentioned by the hon. Member for Tyrone, who pointed out with unanswerable force that you destroy by this procedure the whole value of your Purchase Acts, you besmirch the whole body of purchase tenants, you introduce into their midst men who are not of them, who have not their qualifications, not their claims on our regard, and not their solvency. By so doing you will in the long run bring into discredit your whole system of purchase, and thereby imperil the one solitary remedy to which we can look for the settlement of the agrarian

difficulty. So much from the point of view of the taxpayer. What will the British tenant think of this Bill ? The hon. and learned Member for Louth has drawn attention to-night to one or two cases of hardship which have come under the notice of the Committee upstairs. Well, I daresay there are cases of hardship. But does the hon. Member think that Ireland is the only place where hardship can occur as between landlord and tenant ? Does he think that no man has ever been evicted from a town lodging in London or Leeds ?

**\*MR. T. M. HEALY :** Has the man built his house ? [“Hear, hear !”]

**MR. A. J. BALFOUR :** I am amazed that that interruption should be cheered. Do hon. Members not know, ‘what the hon. and learned Gentleman knows perfectly well, and what the occupants of the Treasury Bench know perfectly well, that this House has exhausted itself in taking precautions for preserving to the Irish tenant, if he chooses to use the instruments put into his hands, every improvement that he has made ?

**MR. T. M. HEALY :** Ask Russell about that.

**MR. A. J. BALFOUR :** The hon. and learned Member thinks that the Irish tenants’ improvements are not sufficiently protected.

**MR. T. M. HEALY :** Certainly not.

**MR. A. J. BALFOUR :** That may be so, but I understand that the Committee upstairs is considering that very question at this moment, and before pronouncing a definite judgment upon the point we had better wait until the Committee has reported. No, the English tenant, with whose case I was dealing, knows perfectly well that he, like his Irish brother, may have been the victim of low prices and occasionally of a hard landlord, and what will he think of a plan which is formed for the purpose of supplying public money for restoring one class of tenants only, and which leaves absolutely untouched the cases of other classes of tenants ? I think the supporters of the Government will discover, when they go before their constituencies, that the British farmer, the artizan, the British occupier of a town holding, will find considerable difficulty in seeing why his, the loyal subject’s, case is to be differentiated from that of his Irish

brother, who, whatever he may have done in support of the Liberal Party, has, at all events, not shown himself an over-loyal subject of the Queen. But, leaving the British tenant, how about the solvent Irish tenant? The solvent Irish tenant, says the hon. and learned Gentleman, is not protected from having a rent fixed upon his improvements. That may be true; but the solvent tenant, who pays his debts, and has some sense of the obligation entailed by the laws of his country, will certainly not regard with a very favourable eye this measure, passed in favour of his erring brother, which hands over public money to a particular and not very deserving section of the community. Even the evicted Plan of Campaign tenant who has settled with his landlord will have reason to complain of this Bill. He has gone back as a future tenant, but the man who has held out until public money is voted to assist him comes back with a promise of public aid in rebuilding his house, and not as a future tenant, but as a present tenant, with every privilege which he forfeited by being evicted. Then how about the landlord? He will be saddled with a tenant whom he presumably dislikes, upon terms far worse than those which he has already made, in all probability, with the Plan of Campaign tenants who have settled with him before the Bill comes into operation. How are you going to justify such a state of things as that? Without your Bill tenants have, as opportunity arose, settled with their landlords. And are these tenants to get greater privileges than those who have paid their own way? The whole thing is intrinsically absurd and unjust. The next class I have to mention—and I have almost enumerated all the classes I wish to speak about—is the class that is politely described as “land-grabbers,” and in certain cases as “planters.” The Secretary for Ireland in the first instance, and the Solicitor General in the second place, have said—

“Grant that your so-called land-grabber is in danger at the present time, how is his danger going to be increased by this Bill?”

The Solicitor General shows his innocence with regard to this Irish matter, which, to do him justice, he never displayed when he fought the Chancellor of the Exchequer's battle with regard to finance. I will explain why the planter

is in greater danger now than he has been before. The danger will be increased, I say, because there is somebody who under the Bill, if it becomes law, will profit either by the death or by the expulsion of the present tenants from their holdings. At the present moment, if the police do not prevent him, the evicted tenant may shoot, boycott, or intimidate him, and drive him from his holding. But when that is done the evicted tenant is no nearer to getting possession of the holding than he was before. The landlord will probably not be so mean-spirited a hound as to give the farm to a man who has shot or boycotted the previous tenant, and the man who has been evicted and wishes to get back is no nearer that consummation than he was before. But when you have passed this Bill the evicted tenant and the evicted tenant's friends will know that nothing stands between them and compulsory reinstatement except the death or expulsion of this tenant. They will have something more than the motive of bare revenge; they will have the motive of direct self-interest, and human nature being what it is, and the motives which, unhappily, under bad guidance, animate the Irish tenant being what they are, no man can tell me that the man who has taken an evicted farm has as good a chance of maintaining life and limb intact after this Bill passes as he has at the present time. I think, therefore, that the Solicitor General will be able to see how it is that the danger to those unfortunate persons will be enhanced after the Bill is passed. There is yet another, though a very small, class of persons to be mentioned—it is a small class, for it consists only of three persons—those three persons, I mean, who constitute the tribunal of unhappy gentlemen whom you desire to constitute under this Bill. How are they going to carry out the provisions of this Bill? The hon. and learned Member for Had-dingtonshire, and, I think, the Chief Secretary, appeared to think that no task had been thrown on these three gentlemen which had not been thrown on other Courts in Ireland before by previous legislation. I deny that altogether. Let the hon. and learned Member, great lawyer as he is, put himself in the position of one of those unfortunate trium-

*Mr. A. J. Balfour*

virate. Let him picture himself sitting in a Star Chamber far from public criticism, but with an earnest desire to carry out the provisions of this Bill. What is he told to do? He is told to consider the circumstances of the eviction, and the circumstances of the district, the method in which the eviction was carried out, and the reasonableness of the conduct of the landlord and the tenant. He sets to work; and what is the kind of case that comes before him? The tenant has joined the Plan of Campaign. He has been perfectly able to pay his rent; he has refused to do so. The rent was, perhaps, a reasonable and moderate one. All these facts are known to those Judges or umpires, and if they were to go on those facts alone they would absolutely refuse to reinstate a case of this kind. Here is a man who could have paid his rent, who might have applied to the Courts to stay eviction, who has refused to pay his rent or apply to the Court; why should we exercise this power in his favour? All very well, so far. Then he looks to the circumstances of the district, and he makes inquiry of the police, and learns from them that this evicted tenant, that this man who had a moderate rent and refused to pay, who never applied to the Court, is a very dangerous character, that he is in touch with the Land League of the district, that he is laughing about in the neighbourhood of the holding, where probably he has a Land League hut, that he has been engaged in boycotting the tenant of the holding, and that he is in possession probably of a blunderbuss and other means of Irish persuasion. Then asks the unfortunate member of the tribunal "What am I to do? If I consider the circumstances of the landlord and the tenant I think the tenant ought not to be reinstated; if I consider the circumstances of the district I think he ought to be reinstated." How is he to compare these incomparable quantities? How is he to bring together these immeasurable entities? We know exactly how it will end. It will end probably in his reinstating the tenant, but suggesting to the landlord that the man should buy, and the British taxpayer will be the ultimate sufferer. You are throwing on the tribunal without instruction, guidance, or anything to help them through the difficulties of their position the task of

being umpires in a cause where the controversy is not between two individuals, but between two individuals in the first place and between the forces of order and disorder in the second place. You cannot deal with these two forces on the same plane, and I defy any member of the tribunal to carry out your measure with any prospect of doing what you describe as justice between man and man. I admit, however, that we have to do more than to take into account the individual convenience of the gentlemen who have so rashly undertaken these duties, or even of those particular classes whose interest in this Bill I have already touched upon. You have to consider the general social bearing of your Bill; and what is that social bearing? After this Bill passes it is perfectly certain every tenant in Ireland who throws in his lot with hon. Members from Ireland and who suffers for it will think that he has thereby earned the title to some share of public funds, and has obtained a passport to the legislative favours of this House. That is one of the consequences of your legislation. Another consequence is that you will never see an evicted farm let in Ireland again. I recollect when I was Chief Secretary the present holder of that office and the late Prime Minister reiterated in eloquent terms in debate their view that it was vain to talk of the state of Ireland while evicted farms were not taken. Evicted farms were taken in those days, and they are taken now, but will they be taken in future? If this is a measure of agrarian peace in Ireland, I ask whether a man will ever take an evicted farm who knows that it merely turns on the Parliamentary favour of the Irish Party whether a Bill shall not be brought in and carried through which will turn him and his family on to the hillside and substitute in his place a man who very likely has lost his holding through non-payment of rent, and through disregarding a contract, or through incapacity to carry on the business of an Irish farmer? I do not know whether by enumerating the evil consequences of this measure I have done anything to influence the opinion, I will not say the vote, but the opinion of Gentlemen opposite. But I will offer them one argument which I think will have greater

success. I would ask them whether they suppose that this Bill is going to be a final settlement. I can understand the unhappy English legislator, bothered by the multiplicity of Irish Land Acts, and struggling to remember what are the privileges given to Irish tenants, saying, "Well, if this will finish the business, in Heaven's name let us pass it and finish with the agrarian question in Ireland!" But is there any prospect of that? The hon. and learned Gentleman the Member for Louth occupied most of his speech by endeavouring to show that everything that has passed this House has failed because it was passed too late, or because some defect in the Bill proposed was not remedied at the appeal of the Irish Members. What do you think of this Bill? Do you think it has no defect in the eyes of Irish Members? You have been warned by explicit speeches from at least three Nationalist Members below the Gangway that this Bill, whatever its merits, is but an instalment on this question. The Member for the Harbour Division of Dublin, the Member for Clare, and I think even the Member for Louth, indicated that the Bill as it stands is not a Bill that satisfies them, that they are going to give you warning that something more will be required; and depend upon it, if you are mad enough to pass this Bill, the time will come when these very gentlemen will come down to the House and tell you that when the Bill was brought forward in 1894 they warned the House it would not be a settlement of the question; that other and supplementary measures would have to follow; and they will again use this incomplete and truncated proposal as a ground for explaining to the British House of Commons that the British House of Commons is incapable of legislating for Ireland. [*Ministerial cries of "Time!"*] Yes, I must hurry to an end as fast as I can, for I want to give the right hon. Gentlemen opposite a trifle of time to reply. I will only say that if this contention, which apparently commends itself to the Treasury Bench, if the views of the Chief Secretary for Ireland and the Solicitor General are accurate, and this Bill is really going to be an end of the matter, I might shrug my shoulders and refuse to look with too microscopic an eye into the defects of

this Bill and say, "Well, if it is to finish the Irish question, in Heaven's name let it go, with all its defects upon it!" But is it to end the Irish question? The hon. and learned Gentleman the Solicitor General told us before dinner that he never knew an instance of an amnesty at the end of a great social war, a great social difficulty which did not bring with it peace. Are we at the end of a great social war? What guarantee have the Government of which the hon. and learned Gentleman is a Member that this is the last demand going to be made on behalf of the Irish tenants to the English Parliament? What guarantee has been given to us that this is really the end of the Irish Land Question? What ground have we to believe that this is an act of amnesty? We have no ground for believing it. Gentlemen below the Gangway within the last few months have threatened us with a renewal of the war in which these Plan of Campaign tenants were evicted. They have told us that war will begin upon a scale never yet experienced, and that they are prepared, in order to destroy the land-grabber, to put in operation the whole machinery of land agitation in Ireland. In these circumstances, is it not madness for us to pour out public money on those who are fighting battles in which we are engaged? If the Member for Mayo and his friends below the Gangway would come down and tell us, with some evidence in favour of their views, that all the unhappy past will be blotted out and that the history of Ireland between 1879 and 1894 was to be turned down and never again re-opened, then, Sir, we might take this Bill, or any Bill which would help us to so happy a consummation. But, Sir, at the present time, with a threat of a renewal of this agitation, with the danger staring us in the face that these very men and these very methods with whom we have been struggling and whose soldiers you are now asked to pension will be again arrayed against us, how can you ask us to do anything to help them? Sir, I object to this Bill because it is opposed to the interests of every single class, so far as I can discover it, of the community, and I object to it above all because it is a contribution from the public funds to that Paris fund of which we have heard

so much, and I do not see why we Members of the British House of Commons should be made fellow-conspirators with hon. Gentlemen below the Gangway, or why we should assist them by our endeavours in what, after all, is an illegal and, so far, a futile and unsuccessful conspiracy.

MR. J. MORLEY: I, for one, am not at all alarmed by the use on the part of the right hon. Gentleman of the epithet "mad" to this House in the event of its passing this Bill. Because I remember so well, in the years of which he has just reminded us, when I sat where he sits, and when he held my Office—I remember that in March, 1887, the right hon. Gentleman declared that the proposed revision of judicial rents would be madness, and in August of the same year what he had denounced as madness became the last word of wisdom and statesmanship. That is a reminiscence, but it is absolutely unanswerable. I say that the right hon. Gentleman and Lord Salisbury in the year 1887 denounced as madness and folly, and as the height of all that was immoral and inexpedient, a measure which they themselves brought in within three months. And the right hon. Member for St. George's, Hanover Square, declared that he, at all events, would not be a party to any such legislation. Therefore, I am not at all alarmed, and I hope the House will not be, when the Leader of the Opposition denounces our present proposals as mad. The right hon. Gentleman complained that a sufficient supply of Cabinet Ministers had not risen from this Bench to answer gentlemen occupying similar position on the Benches opposite. It is quite true that on Friday night they put up two Members of the late Cabinet. But how competent one was to instruct this House on the land question was shown by the fact that the late Minister of the Board of Agriculture told the House, and stuck to it, though contradicted by the hon. Member for South Tyrone, that the Land Act of 1870 had been repealed a few months after it was passed. Why, I venture to say that there is not a single Irish Land Act on the Statute Book which is at this moment more vitally active than the Land Act of 1870. And yet we are reproached for not having answered gentlemen of

that calibre. The right hon. Gentleman in closing said what was quite true, that we ought to regard this Bill from the point of view of its general social bearings. That dispenses me from the necessity of repeating the answers which the Solicitor General and the hon. and learned Member for Haddingtonshire gave to the speech of the hon. and learned Member for Dublin University—the ability and brilliance of whose speech I am the last to disparage. He made a great number of small legal points, and I hope he is not going to join the band of those who think a small point can be turned into a great one if you only speak very loud, but my hon. and learned Friends have dealt sufficiently with the legal points raised by the hon. and learned Gentleman. I was sorry to notice that the right hon. Gentleman who has just sat down, who might have better occupied his ingenious and informed mind, spent half an hour on the history of the Plan of Campaign. [Mr. BALFOUR dissented.] Well, it may have been the slowness with which time went with me. But whether it was 25 minutes or half an hour, I ask the House what does it matter? What is it worth, if all that the right hon. Gentleman said of the Plan of Campaign were true? His own allies do not take this view. There is the speech of the right hon. Member for West Birmingham, which was a very moderate speech considering. I recognise that, and I recognise willingly the cause. Perhaps some day, such are the chances and changes of political life, my right hon. Friend and his confederates may be called to deal with this question in another form. But neither he nor any man, except the hon. and gallant Member who moved the Amendment, has dwelt at any length at all on the history of the Plan of Campaign. They have gone, as I think the House ought to go, to view this measure from the point of view of expediency and in relation to those difficulties which we have to face. I should like briefly to notice one or two arguments that have been used. It is asked—Who will be benefited? Will the British taxpayer be benefited? It is said the security of these bankrupt men whom we wish to make purchasers will be a worse security than the Land Commission is accustomed to accept. In what single respect will the security of

a purchaser under our Bill be worse than the security of the same purchaser under Section 13 of the Act of 1891?

MR. A. J. BALFOUR: There is the guarantee of the deposit under that Act.

MR. J. MORLEY: It is quite true we remit to the landlord one-fifth and allow the rest, four-fifths, to remain. I wonder whether the landlords who are going to support the Amendment take the same view as the right hon. Gentleman in deprecating this sacrifice of one-fifth of the guarantee deposit. The hon. Member for Tyrone is in favour of the expropriation of Lord Clanricarde by Act of Parliament. To whom are you going to give his property? You are going to sell it to the tenants, and will the security be one whit the worse than it would be under the 13th section, which gentlemen on both sides want to restore? The right hon. Gentleman asks—With what eyes will a solvent tenant look at it? Is it not notorious that the great mass of the Irish tenantry look with interest, with approval, and with sympathy upon the Bill? The right hon. Gentleman says the landlords will gain nothing. Would not the landlords rather have two years' or even one year's arrears than nothing? How does it profit a landlord to have derelict holdings left on his hands? What position can be worse than that? The right hon. Gentleman seemed to suppose that if the new tenant disappeared the landlord would be his heir. Of course, the landlord would be in no better position than he is now, because the tenant would leave his successors in title, and the whole fabric of argument raised on that supposition falls to the ground. The important point is the recognition from so many quarters of the House that we are face to face—as the Opposition would be if they were in power—with great and serious difficulties, social and administrative. It has been recognised by my predecessor in the office of Chief Secretary, by my hon. Friend the Member for Fulham, who knows a great deal about the state of things in Ireland, by the right hon. Member for Bodmin, and by the hon. and learned Member for the University of Dublin; and it is not denied by the Leader of the Opposition. What is to be regarded as pitiful is that the great Party opposite has thrown itself on this critical

occasion into the arms of those I called the irreconcilable section of Irish landlords. I have been charged with having attacked the Irish landlords: I have never denied that there are enlightened and humane Irish landlords that some are humane without being enlightened; but that there are some who are neither enlightened nor humane. I repeat these words because it is necessary that they should not be misrepresented. In the interests of peace, of both the Irish landlords and the Irish tenants, I appeal to the Opposition to take warning by the dissension in their own ranks upon this Bill. This dissension shows how rotten is the ground on which you are treading; and when you ask us, as the right hon. Gentleman dared us, Sir, to face our constituencies—we shall not scruple to face our constituencies whatever may be done in another place with this Bill.

Question put.

The House divided:—Ayes 259; Noes 227.—(Division List, No. 188.)

Main Question put, and agreed to.

Bill read a second time, and committed for Thursday.

PUBLIC LIBRARIES (IRELAND) ACTS  
AMENDMENT (*re-committed*) BILL.  
(No. 317.)

COMMITTEE.

Bill considered in Committee.

(In the Committee.)

Clause 1.

MR. BARTLEY (Islington, N.): I object.

MR. W. JOHNSTON (Belfast, S.): May I appeal to the hon. Member not to press the objection?

MR. BARTLEY: Our Church Patronage Bill, which does not concern the Irish at all, is stopped every night by the Irish Members.

MR. CONYBEARE (Cornwall, Camborne): I beg to correct the hon. Member. I stopped that to-night.

MR. FIELD (Dublin, St. Patrick's): A Public Libraries Act has been passed for England and another for Scotland. I cannot understand why the Irish Bill should be opposed. It is non-political.

*Mr. J. Morley*



**MR. BARTLEY:** Well, I must object. I do so because the Irish Catholics interfere with an English Church patronage Bill.

Committee report Progress; to sit again To-morrow.

**ANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER BILLS (JOINT COMMITTEE.)**

Report, with Minutes of Evidence, brought up, and read.

Report to lie upon the Table, and to be printed. [No. 232.]

**ANAL TOLLS AND CHARGES PROVISIONAL ORDER (No. 1) (CANALS OF GREAT NORTHERN AND OTHER RAILWAY COMPANIES) BILL.—(No. 178.)**

Reported from the Joint Committee of Lords and Commons on Canal Rates, Tolls, and Charges Provisional Order Bills [Provisional Order confirmed]; Report to lie upon the Table, and to be printed.

Bill, as amended, to be considered upon Thursday, and to be printed. [Bill 22.]

**ANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER (No. 2) (BRIDGWATER, &c., CANALS) BILL.—(No. 198.)**

Reported from the Joint Committee of Lords and Commons on Canal Rates, Tolls, and Charges Provisional Order Bills [Provisional Order confirmed]; Report to lie upon the Table, and to be printed.

Bill, as amended, to be considered upon Thursday, and to be printed. [Bill 23.]

**ANAL TOLLS AND CHARGES PROVISIONAL ORDER (No. 3) (ABERDARE, &c., CANALS) BILL.—(No. 215.)**

Reported from the Joint Committee of Lords and Commons on Canal Rates, Tolls, and Charges Provisional Order Bills [Provisional Order confirmed]; Report to lie upon the Table, and to be printed.

Bill, as amended, to be considered upon Thursday, and to be printed. [Bill 24.]

**CANAL TOLLS AND CHARGES PROVISIONAL ORDER (No. 4) (BIRMINGHAM CANAL) BILL.—(No. 252.)**

Reported from the Joint Committee of Lords and Commons on Canal Rates, Tolls, and Charges Provisional Order Bills [Provisional Order confirmed]; Report to lie upon the Table, and to be printed.

Bill, as amended, to be considered upon Thursday, and to be printed. [Bill 325.]

**CANAL TOLLS AND CHARGES PROVISIONAL ORDER (No. 5) (REGENT'S CANAL) BILL.—(No. 253.)**

Reported from the Joint Committee of Lords and Commons on Canal Rates, Tolls, and Charges Provisional Order Bills [Provisional Order confirmed]; Report to lie upon the Table, and to be printed.

Bill, as amended, to be considered upon Thursday, and to be printed. [Bill 326.]

**CANAL TOLLS AND CHARGES PROVISIONAL ORDER (No. 6) (RIVER LEA, &c.) BILL.—(No. 254.)**

Reported from the Joint Committee of Lords and Commons on Canal Rates, Tolls, and Charges Provisional Order Bills [Provisional Order confirmed]; Report to lie upon the Table, and to be printed.

Bill, as amended, to be considered upon Thursday, and to be printed. [Bill 327.]

**CANAL TOLLS AND CHARGES PROVISIONAL ORDER (No. 7) (RIVER ANCHOLME, &c.) BILL.—(No. 263.)**

Reported from the Joint Committee of Lords and Commons on Canal Rates, Tolls, and Charges Provisional Order Bills [Provisional Order confirmed]; Report to lie upon the Table, and to be printed.

Bill, as amended, to be considered upon Thursday, and to be printed. [Bill 328.]

**CANAL TOLLS AND CHARGES PROVISIONAL ORDER (No. 8) (RIVER CAM, &c.) BILL.—(No. 264.)**

Reported from the Joint Committee of Lords and Commons on Canal Rates,

Tolls, and Charges Provisional Order Bills [Provisional Order confirmed]; Report to lie upon the Table, and to be printed.

Bill, as amended, to be considered upon Thursday, and to be printed. [Bill 329.]

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER (No. 9) (RIVER LARKE) BILL.—(No. 265.)

Reported from the Joint Committee of Lords and Commons on Canal Rates, Tolls, and Charges Provisional Order Bills [Bill not proceeded with]; Report to lie upon the Table, and to be printed.

CANAL TOLLS AND CHARGES PROVISIONAL ORDER (No. 10) (CANALS OF THE CALEDONIAN AND NORTH BRITISH RAILWAY COMPANIES) BILL.—(No. 266.)

Reported from the Joint Committee of Lords and Commons on Canal Rates, Tolls, and Charges Provisional Order Bills [Provisional Order confirmed]; Report to lie upon the Table, and to be printed.

Bill, as amended, to be considered upon Thursday, and to be printed. [Bill 330.]

CANAL TOLLS AND CHARGES PROVISIONAL ORDER (No. 11) (LAGAN, &c. CANALS) BILL.—No. 267.)

Reported from the Joint Committee of Lords and Commons on Canal Rates, Tolls, and Charges Provisional Order Bills [Provisional Order confirmed]; Report to lie upon the Table, and to be printed.

Bill, as amended, to be considered upon Thursday, and to be printed. [Bill 331.]

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER (No. 12) (GRAND, &c. CANALS) BILL.—(No. 268.)

Reported from the Joint Committee of Lords and Commons on Canal Rates, Tolls, and Charges Provisional Order Bills [Provisional Order confirmed]; Report to lie upon the Table, and to be printed.

Bill, as amended, to be considered upon Thursday, and to be printed. [Bill 332.]

#### MESSAGE FROM THE LORDS.

That they have agreed to—

Local Government Provisional Orders (No. 18) Bill.

UNIFORMS BILL.—(No. 309.)

Read the third time, and passed.

TROUT FISHING (SCOTLAND) BILL  
[Lords].—(No. 279.)

Considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress; to sit again upon Thursday.

HERITABLE SECURITIES (SCOTLAND)  
(re-committed) BILL.—(No. 316.)

Considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress; to sit again To-morrow.

PLACES OF WORSHIP (SITES) BILL—  
(No. 90.)

Order for Second Reading read, and discharged.

Bill withdrawn.

POOR LAW UNION OFFICERS (IRELAND) SUPERANNUATION BILL.—(No. 240.)

Order for Second Reading read, and discharged.

Bill withdrawn.

TRAMWAYS BILL.—(No. 72.)

Order for Second Reading read, and discharged.

Bill withdrawn.

#### WAYS AND MEANS.

Considered in Committee.

(In the Committee.)

Resolved, That towards making good the Supply granted to Her Majesty for the service of the year ending on the 31st day of March 1895, the sum of £17,715,550 be granted out of the Consolidated Fund of the United Kingdom.—(*The Chancellor of the Exchequer.*)

Resolution to be reported To-morrow.

House adjourned at twenty-five minutes after Twelve o'clock.

## HOUSE OF LORDS,

*Tuesday, 24th July 1894.*

## CHIMNEY SWEEPERS BILL.—(No. 132.)

## SECOND READING.

Order of the Day for the Second Reading, read.

THE EARL OF DUNRAVEN said, it would be unnecessary to detain their Lordships for any time in explaining the object of this Bill. Its object was to protect the public from this work being performed improperly and from what amounted to a considerable nuisance. Obviously chimneys must be swept, and it was equally obvious that they should be swept efficiently, and that the persons professing to sweep them should be properly qualified for the work. Accordingly, the Bill proposed to safeguard the innocent householder (who would probably be fast asleep at the time) from being visited by unqualified persons or by others who merely made chimney-sweeping a pretence in order to obtain access to houses for totally different purposes. The Bill had passed through the House of Commons with little comment. A precisely similar measure was introduced in 1892 by Sir John Colomb, and afterwards, in 1893, by Mr. Labouchere, and was passed through the House of Commons, though it did not come up to their Lordships' House. That Bill was backed by Mr. Labouchere, Mr. Jacoby, and Sir Francis Powell. Its sponsors came from each side of the House. He would add that he would have to move an Amendment subsequently to strike out a portion of the clause. He begged to move that the Bill be read a second time.

Moved, "That the Bill be now read 2<sup>a</sup>."  
—(*The Earl of Dunraven.*)

THE EARL OF CHESTERFIELD said, that the Home Office had no objection whatever to the Bill.

Motion agreed to ; Bill read 2<sup>a</sup> accordingly, and committed to a Committee of the Whole House on Friday next.

VOL. XXVII. [FOURTH SERIES.]

INDUSTRIAL SCHOOLS BILL.—(No. 152.)  
THIRD READING.

Order of the Day for the Third Reading, read.

\*LORD LEIGH said, the Home Office had suggested that Clause 1 should be amended to read—

"And every child sent to an Industrial School, after the passing of this Act, shall, after the expiration of the period of its detention in such school, remain up to the age of 18 under the supervision of the managers of the school."

Every child sent to an Industrial School after the passing of the Act would be liable to be detained there until the age of 16. The effect of that would be if it continued law that a child committed only up to the age of 14 would be obliged to be detained until 16. That was an oversight, no doubt, which could be corrected by a verbal Amendment.

VISCOUNT CROSS said, he had no objection whatever to the Amendment, but thought the Home Office should have submitted it to the House in print that their Lordships might have seen it.

THE LORD CHANCELLOR (Lord HERSHELL) said, he had looked carefully at the Amendment, which was obviously for the purpose of remedying an oversight in the original clause. That oversight, he thought, might be judiciously amended.

Amendments made ; Bill passed, and sent to the Commons.

PAROCHIAL ELECTORS (REGISTRATION  
ACCELERATION) BILL.—(No. 162.)

Reported from the Standing Committee with Amendments : The Report thereof to be received on Thursday next ; and Bill to be printed as amended. (No. 174.)

BOARDS OF CONSOLIDATION BILL  
[H.L.].—(No. 112.)

Reported from the Standing Committee with Amendments : The Report thereof to be received on Thursday next.

VALUATION OF LANDS (SCOTLAND)  
ACTS AMENDMENT BILL [H.L.].  
(No. 163.)

Reported from the Standing Committee without Amendment, and Bill to be read 3<sup>a</sup> on Thursday next.

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LOCAL GOVERNMENT PROVISIONAL  
ORDERS (No. 15) BILL.—(No. 126.)

House in Committee (according to Order): Amendments made: Standing Committee negatived: The Report of Amendments to be received on Thursday next.

House adjourned at a quarter before  
Six o'clock, to Thursday next,  
a quarter past Four o'clock.

HOUSE OF COMMONS,

Tuesday, 24th July 1894.

PRIVATE BUSINESS.

GREAT WESTERN RAILWAY (No. 1)  
BILL [*Lords*].

Lords Amendments to Commons  
Amendments considered.

MR. W. FIELD (Dublin, St. Patrick's) said he objected, until some reasonable arrangement was entered into by the Railway Company with the traders in regard to the Schedule of Railway Rates and other matters.

\*MR. SPEAKER: A general objection does not hold good. If the hon. Member has any objection to the Lords Amendments to the Commons Amendments it will be in order, but a general objection to the Bill cannot be taken at this stage—after the House has entered upon the consideration of the Lords Amendments.

Lords Amendments to Commons  
Amendments agreed to.

QUESTIONS.

WORKING HOURS ON SCOTCH  
RAILWAYS.

MR. W. WHITELAW (Perth): I beg to ask the President of the Board of Trade whether the complaints made under the Railway Servants (Hours of Labour) Act by Scotch railway servants have been yet dealt with to the satisfaction of the Board of Trade?

THE PRESIDENT OF THE BOARD OF TRADE (MR. BRYCE, Aberdeen, S.): The complaint as to the gatekeepers on a portion of the North British Railway has been satisfactorily settled, and the hours of labour of the men reduced. The Company has been ordered to submit a revised schedule of the hours of some of their drivers, but it has not yet been received. In the case of the Caledonian drivers and firemen, certain reductions have been obtained from the Company, but the Board of Trade are not yet satisfied, and communications are still in progress. Apart from the complaints which were made by railway servants, the Board have, in consequence of reports on accidents, made by their inspecting officers, called upon the North British and the Highland Companies for returns of the hours worked by some of their signalmen and drivers. The Highland Company have materially reduced the hours of their men, but the schedule is not yet finally approved by the Board of Trade.

THE MINES (EIGHT HOURS) BILL.

MR. TOMLINSON (Preston): I beg to ask the Secretary of State for the Home Department when he proposes to put down the Amendment to the Mines (Eight Hours) Bill to carry out the intention announced by him, of providing that the penalty for contravening the Bill should not fall on the employer alone?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (MR. ASQUITH, Fife, E.): I will put it down shortly.

MR. D. A. THOMAS (Merthyr Tydvil): May I ask whether the Amendment will be put down by the Home Secretary in his individual capacity or on behalf of the Government?

MR. ASQUITH: It will be put down in my name.

MR. D. A. THOMAS: And not on behalf of the Government? I think I am fairly entitled to have a definite answer as to that.

MR. ASQUITH: The independent attitude of the Government as a Government with regard to the Bill has already been explained by the Chancellor of the Exchequer. I myself very strongly support the measure, and I have put down the Amendment because I think it will

make the Bill a more practical and more workable measure.

**MR. D. A. THOMAS:** May I take it that this is the only Amendment the right hon. Gentleman considers it necessary to propose?

**MR. ASQUITH:** No, Sir; I do not pledge myself to that.

#### IMPORTED SPIRITS AND THEIR USE.

**MR. FIELD** (Dublin, St. Patrick's): I beg to ask the President of the Board of Trade, in view of the fact that, according to Official Returns, 1,727,786 proof gallons of spirits were imported direct from Foreign Countries; whether, in the absence of definite information as to the uses in which this vast quantity of imported spirits is absorbed, he will, in the interests of taxpayers, institute an inquiry respecting the conversion of this foreign material into so-called native manufacture?

**MR. BRYCE:** The only ground for such an inquiry by the Board of Trade as is suggested by the hon. Member would be that there was an infringement of the Merchandise Marks Act. In the absence of any information to show that the Act is infringed, I do not see that there is ground for such an inquiry. The importation of foreign spirits so far as concerns taxes is not a matter for the Board of Trade.

#### SIR FRANCIS SCOTT'S EXPEDITION.

**MR. J. W. LOWTHER** (Cumberland, Penrith): I beg to ask the Under Secretary of State for the Colonies whether he will present to Parliament any Papers relating to the late expedition under Colonel Sir Francis Scott against the King of Kumassi and the tribes to the north of the Gold Coast Colony, and showing the decision of the Government in reply to the application of certain tribes for an extension to them of British protection?

**THE UNDER SECRETARY OF STATE FOR THE COLONIES** (Mr. S. Buxton, Tower Hamlets, Poplar): Sir Francis Scott's expedition was not "against the King of Kumassi and the tribes to the north of the Gold Coast Colony," but for the protection of tribes within the protectorate against an apprehended attack by the Ashantis. The Colonial forces did not go beyond the Protectorate. Her Majesty's Govern-

ment are in communication with the King of Ashanti, through the Government of the Gold Coast Colony, and are awaiting the King's reply, and when this is received the Secretary of State will consider whether it is desirable to lay any Papers.

**MR. J. W. LOWTHER:** The hon. Gentleman has not answered one part of my question, in reference to the decision of the Government in reply to the application of certain native tribes to be allowed to come within the British Protectorate.

**MR. S. BUXTON:** It is correct that an application has been made by certain tribes, and that it is being carefully considered in connection with the communication received from the King of Ashanti.

#### THE OTTAWA CONFERENCE.

**MR. HOGAN** (Tipperary, Mid): I beg to ask the Under Secretary of State for the Colonies what arrangements, if any, are being made for the prompt circulation of the official shorthand Report of the proceedings of the Ottawa Conference amongst Members of the House and the general public; is the Report being printed in Canada for general or local circulation; and, in the latter case, will he arrange with the High Commissioner for Canada for a certain number of copies to be placed in the Library of the House for purposes of immediate reference?

**MR. S. BUXTON:** Whatever the Conference agree should be published will be laid on the Table; but it is not anticipated that the official Report will be ready for some little time.

#### TAXATION IN FIJI.

**MR. HOGAN:** I beg to ask the Under Secretary of State for the Colonies whether he is aware that Lord Carnarvon, in sanctioning the present scheme of native taxation in Fiji on 31st May, 1876, distinctly stated that he regarded it in the light of an experiment, and enjoined the then Governor (Sir Arthur Gordon) to be particularly careful that no hardship or oppression was inflicted on any class of the native population in the incidence and collection of the tax; whether any inquiry into the practical working of this experimental scheme of taxation has ever been made; whether he is aware that the natives in some dis-

tricts are virtually employed for the greater part of the year in raising the Government tax demanded of them, and that their condition in consequence is but little removed from slavery; and whether, in view of the recent native outbreak in Fiji, which was suppressed by the Governor in person with the loss of seven lives, he will consider the propriety of instituting an inquiry into the results and the practical operation of this scheme of taxation?

MR. S. BUXTON: The instructions given by the Secretary of State in sanctioning the scheme of native taxation introduced into Fiji are rightly quoted by the hon. Member. It has not hitherto been considered necessary to direct that an inquiry should be held into the practical working of a scheme which it is believed has, on the whole, worked fairly well. The information at our disposal does not confirm the suggestion of the hon. Member that the condition of the Fijian native is, in consequence of the Government tax, but little removed from slavery. As regards the last portion of the question, I can only repeat what I stated on the 13th instant, that no information has been received confirming the statements to which attention is drawn; but if there has been any such occurrence, we shall doubtless hear of it by Despatch.

#### GOVERNMENT NEWSPAPER PUBLICATIONS.

MR. GIBSON BOWLES (Lynn Regis): I beg to ask the Secretary to the Treasury whether he can state the total number of publications coming within the definition of a newspaper, as defined by Statute, which are published by Government Departments, and also the name of each newspaper as published and the name of the person registered as its proprietor; and whether in each case the same personal responsibility, criminal and civil, attaches to the registered proprietor as would attach to him were he a private individual, or whether that responsibility is by understanding and in practice understood to be only nominal, and to be covered by the Treasury?

THE SECRETARY TO THE TREASURY (Sir J. T. HIBBERT, Oldham): So far as I know, the only publications of the kind which appear to come within

the definition in the Act 44 & 45 Viet., c. 60, Section 1, are *The London and Dublin Gazettes*, *The Police Gazettes*, London and Dublin, *The Illustrated Journal of Patents*, *The Trade Marks Journal*, and *The Customs Bills of Entry*. I am not aware whether these publications are registered under the Act, but I am making inquiries. *The Board of Trade Journal*, *The Labour Gazette*, *The Kew Bulletin*, and the proposed *Board of Agriculture Journal* do not appear to come within the definition. I am afraid that I am not competent to answer the legal points raised in the question.

#### THE REGULATION OF CYCLING.

MR. GIBSON BOWLES: I beg to ask the Secretary of State for the Home Department whether he is aware of the great danger and of the numerous accidents caused by the common practice of persons riding on bicycles and tricycles of passing other vehicles on the near side instead of on the off side of those vehicles, and of the further danger caused by the circumstances that bicycles and tricycles, moving noiselessly and often at great speed, give no adequate notice of their approach; whether bicycles and tricycles are in any way exempt from the ordinary obligation to conform to the rule of the road; and whether the police have any power to enforce their adherence to the rule of the road, and the carrying by each bicycle or tricycle of a continuously sounding bell which would give adequate notice of its approach; and, if not, whether he will consider the propriety of giving such powers to the police, or of taking such other measures as may be calculated to secure the carrying into effect of these precautions against accident?

MR. ASQUITH: I am informed by the Commissioner of Police that undoubtedly numerous accidents are caused by bicycles and tricycles, but he is not prepared to say that they occur from the causes suggested. Bicycles and tricycles are carriages, and should conform to the rule of the road, and the police as far as possible enforce the law as to riding to common danger, &c. Cautionary notices are also issued drawing attention to the fact that all riders of bicycles and tricycles are required to sound a bell or whistle in order to give audible notice of

their approach, but there is no power of enforcing a continuous bell.

#### SOUTH AFRICAN CONVENTION.

**SIR C. W. DILKE** (Gloucester, Forest of Dean) : I beg to ask the Under Secretary of State for the Colonies whether, when Papers are laid before Parliament, with regard to the recent Convention with the Government of the South African Republic, those Papers will include a Despatch from General Cameron, the acting High Commissioner, to Sir Petrus Jacobus de Wet, the British Resident in the Transvaal, and an official letter by Sir Jacobus de Wet to the Transvaal Government, which followed General Cameron's Despatch?

**MR. S. BUXTON** : These Papers referred to have not yet been received, and it is not, therefore, possible at present to state whether they can be published or not.

#### PARISH AND DISTRICT COUNCIL ELECTIONS.

**MR. JEFFREYS** (Hants, Basingstoke) : I beg to ask the President of the Local Government Board when the Local Government Board intend to issue Rules framed under Section 48 of "The Local Government Act, 1894," in relation to the elections of Parish and District Councilors, according to Sections 3 and 23 of that Act?

**THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD** (Mr. SHAW-LEFEVRE, Bradford, Central) : The preparation of the Rules referred to is being proceeded with, but I am not at present in a position to state how soon they will be ready for issue.

**MR. JEFFREYS** : When does the right hon. Gentleman think the Parish Councils Act will come into operation?

**MR. SHAW-LEFEVRE** : The Parish Councils Act will come into operation between the 10th and 17th of December.

#### LIVE STOCK TRAFFIC IN IRELAND.

**MR. FIELD** : I beg to ask the President of the Board of Trade whether the proposed Railway Bill will contain a clause to nullify the existing system of compelling the consignors of live stock in Ireland to sign consignment notes under which the carrying company practically claims to contract themselves out of all

liability for delay, damage, or ill-treatment?

**MR. BRYCE** : The hon. Member who has been kind enough to be a party to the negotiations now in progress with regard to the Railway and Canal Traffic Bill must be aware that there is no such clause in the Bill, inasmuch as the Bill is confined to cases in which rates have been raised since 1892, and it can hardly be said that consignors of live stock in Ireland are compelled to sign owners' risk consignment notes. I trust, however, that the Bill may be passed in a form in which it will do something to meet the circumstances of which the hon. Member complains.

#### PRECAUTIONS AGAINST CATTLE DISEASE AT MERSEY DOCKS.

**MR. FIELD** : I beg to ask the President of the Board of Agriculture, with reference to the representation made to the Board of Agriculture on behalf of the cattle importers of Liverpool by Messrs. Simpson, North, and Johnson, solicitors, that the provisions of the Contagious Diseases (Animals) Act were not being carried out by the Mersey Docks and Harbour Board, and to the reply of the Secretary of the Board of Agriculture, that, so far as the Board were aware, the intentions of the Animals Order of 1886 were being complied with, whether the Board of Agriculture, before such reply was made, caused any inquiry to be made in Liverpool with regard to the matters complained of in Messrs. Simpson, North, and Johnson's letter; and, if so, from whom such inquiry was made; whether the Board of Agriculture caused any inquiry to be made from the cattle importers in Liverpool; and whether any, and what, steps were taken to learn what facts they relied on in support of the representations made to the Board of Agriculture on their behalf?

**THE PRESIDENT OF THE BOARD OF AGRICULTURE** (Mr. H. GARDNER, Essex, Saffron Walden) : I received a letter from Messrs. Simpson, North, and Johnson on the 2nd February, 1893, stating that no reception lairs for foreign cattle were provided by the Mersey Docks and Harbour Board as required by the Orders of the Board of Agriculture, to which letter a reply was sent in the terms indicated in my hon. Friend's



question. No special local inquiry was made in Liverpool before the letter was answered, nor do I think that such inquiry was necessary, for the reason that all foreign animals' wharves are constantly under the personal supervision of our Inspectors, and those Inspectors are in consequence thoroughly conversant with the accommodation provided. I shall be very glad, however, to give my best attention to any further representations which may be made to me.

**MR. FIELD :** Will the right hon. Gentleman receive a deputation on the subject?

**MR. H. GARDNER :** I shall be happy to consider that point.

#### BRAY HARBOUR.

**MR. FIELD :** I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the Government is prepared to advise the grant of £2,000 to aid in the construction of Bray Harbour; and whether information has been forwarded to him showing that the Commissioners have exhausted their statutable powers of taxation in providing funds for this work, which has been undertaken for the preservation of life, convenience of the fishermen, and local accommodation?

**THE CHIEF SECRETARY FOR IRELAND (Mr. J. MORLEY, Newcastle-upon-Tyne) :** An application has been received from the Bray Commissioners in connection with the harbour works. A reply was sent that inquiries would be made as to whether the matter is one in which the Government could give assistance. These inquiries are proceeding.

**MR. KILBRIDE (Kerry, S.) :** Will the right hon. Gentleman receive a deputation on the subject from the Bray Commissioners, who fear that unless something is done before the winter sets in the £30,000 locally invested will be lost?

**MR. J. MORLEY :** If the hon. Member will be kind enough to make that application through the ordinary channels—indeed, I rather think one has been sent in—I will give it the best consideration I can.

**MR. FIELD :** I should like to remind the right hon. Gentleman that hundreds of thousands of pounds are being spent in England to save works of art, but when

it comes to saving life at Bray there is a disposition to close the purse.

**MR. W. JOHNSTON (Belfast, S.) :** Take it out of the Evicted Tenants' Fund.

#### INQUIRIES INTO MINING FATALITIES.

**MR. D. A. THOMAS :** I beg to ask the Secretary of State for the Home Department if he has received any representations from colliery workmen in South Wales in favour of the appointment always of a certain number of practical miners on such coroner's juries as have to deal with fatalities that have occurred in mines; and whether he is empowered to give instructions to that effect to those who have the calling of such juries?

**MR. ASQUITH :** I have received the representation referred to, but I have no power to give any instructions in the matter. I may, however, mention that of the 17 jurymen summoned for the jury in the Albion Colliery case, I am informed that nine are practical colliers.

#### THE DEPARTMENT OF MINES.

**MR. D. A. THOMAS :** I beg to ask the Secretary of State for the Home Department what steps, if any, have been taken to carry out the eleventh recommendation of the Royal Commission on Mining Royalties in favour of the reorganisation of the Department of Mines in the Home Office; and whether he proposes asking for additional statutory powers to enable the Department to collect and publish accurate information with regard to mines and minerals?

**MR. ASQUITH :** The staff of Mines Inspectors under the Home Office has been strengthened since the Report of the Commission on Mining Royalties by the addition of an Assistant Inspector of Coal Mines for duty in South Wales; and the appointment of three additional Inspectors under the Metalliferous Mines Regulation Act is on the point of completion. The question whether any and what further steps should be taken for the reorganisation recommended by the Commission is engaging my attention. A Committee to consider what statistics relating to minerals should be collected and published is at present sitting, and until it reports I am unable to say whe-

*Mr. H. Gardner*

ther it will be necessary to ask for additional statutory powers or not.

#### THE BIRR MILITARY SCANDAL.

**MR. BROOKFIELD** (Sussex, Rye) : I beg to ask the Secretary of State for War whether the defendants in a recent police case, described by the Press as a Military Scandal at Birr, belong to the Regular Army or to the Irish Militia ; and what inquiry is being held by the Military Authorities into the allegations made against these officers ?

**THE SECRETARY OF STATE FOR WAR** (**MR. CAMPBELL - BANNERMAN** (Stirling, &c.) : The defendants in the case at Birr are officers belonging to the 3rd (Militia) Battalion Leinster Regiment. The Field Marshal Commanding in Ireland was called upon for a Report, and replied giving certain details, and promising further information so soon as the matter had been before the Magistrates at Birr ; but this further Report has not yet been received.

#### IRISH FRANCHISE ASSIMILATION.

**DR. D. AMBROSE** (Louth, S.) : I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he has received a communication from the Drogheda and vicinity Trades Council with reference to the assimilation of the Parliamentary, Municipal, and Poor Law franchise ; and can he hold out any hope in the near future of introducing such legislation as will remedy the existing grievances relating thereto ?

**MR. J. MORLEY** : I have received the communication referred to, which, in my opinion, points to a much-needed reform ; but in the present state of public business it would be impossible for me to give any undertaking as suggested in the question.

#### PERTH POST OFFICE.

**MR. W. WHITELAW** : I beg to ask the Postmaster General whether any, and if any what, decision has been come to with regard to the site of the new post office in Perth ; and whether, if the new office is built in a different part of the city from where the present office is, a sub-office will be established on the site of the present head office, in order to meet the requirements of almost all the bankers, solicitors, and other business

men of the city who petitioned originally against the removal of the head office from its present position ?

**THE POSTMASTER GENERAL** (**MR. A. MORLEY**, Nottingham, E.) : It has been decided to provide a new head Post Office at Perth on a site, offered by the Town Council, at the junction of the proposed new street with High Street, and arrangements for obtaining the site are in progress. It is proposed, on the opening of the new office, to establish a sub-office near the site of the present Head Office.

#### THE KETTERING CHARITIES.

**MR. CHANNING** (Northampton, E.) : I beg to ask the Parliamentary Charity Commissioner why no reply has been given by the Charity Commission to repeated inquiries from the Trades Council of Kettering and other interested parties as to the decision taken by the Commissioners on the Report of the inquiry into the Kettering Charities ; whether any decision as to the said charities has yet been come to ; and whether the Charity Commissioners will give sufficient notice to the several parties interested before taking final action as to the future application of any of the funds in question, or as to the appointment of new trustees ?

**THE PARLIAMENTARY CHARITY COMMISSIONER** (**MR. F. S. STEVENSON**, Suffolk, Eye) : The Commissioners, after the local inquiry held by their Assistant Commissioner, found it necessary to make further investigations and inquiries respecting some of the charities proposed to be dealt with in order to ascertain the exact nature of their powers, and the Trades Council were so informed. Considerable delay ensued in the supply of further information, and the Commissioners are not yet in a position to proceed with the establishment of a scheme. The matter is, however, under immediate consideration, and the Commissioners hope to come to a decision very shortly. Full notice will be published of any proposed scheme or appointment of trustees.

#### FARM ASSESSMENTS IN SUFFOLK.

**MR. EVERETT** (Suffolk, Lowestoft) : I beg to ask the President of the Local Government Board whether his attention

has been called to an appeal made by a farmer of Sterufield, Suffolk, against the assessment of his farm, he being assessed for the gross at double his rent, a rent fixed in open competition; whether he has observed that the appeal to Quarter Sessions was unsuccessful; whether a man can legally be assessed at double his competition rent; whether when the landlord pays the tithe, the tenant is entitled to have it deducted from his rent in fixing the gross assessment of the holding; and what remedy has a tenant whose assessment is above its legal limit?

MR. SHAW-LEFEVRE: I have no information as to the facts connected with the decision of the Court of Quarter Sessions in the case mentioned, except those given in the newspaper report which I have received from my hon. Friend. I cannot, of course, express any opinion as to the decision of the Court in that case. As regards the general question, gross estimated rental is the rent at which the property assessed might reasonably be expected to let from year to year, free of all usual tenants' rates and taxes and tithe commutation rent-charge, if any. The rent actually paid is not conclusive evidence as to the value. When the tithe rent-charge is paid directly by the owner, it should, I think, for the purpose of arriving at the gross estimated rental of a hereditament be deducted from the sum at which the premises might reasonably be expected to let from year to year. There is an appeal against a poor rate to Quarter Sessions, but there is no appeal from Quarter Sessions, except that a case may be stated for the opinion of the High Court.

#### MILITARY SERVICE ABROAD.

MR. W. WHITELAW: I beg to ask the Secretary of State for War whether there is any recognised limit to the amount of foreign service which a regiment has to perform without any intervening home service; and, if so, what is the limit?

MR. CAMPBELL-BANNERMAN: There is not, and there cannot be, any specified limit. Battalions are sent abroad according to a roster, and they return home, as far as possible, in the same order. The usual practice is to relieve four battalions yearly, and there are 70 abroad; so that the tour of foreign

service would be, as regards the headquarters of the battalion, about 17 years. The service abroad of an individual is, of course, much shorter. The formation of territorial regiments somewhat disturbed the roster; but it is gradually recovering its proper order.

#### WALES AND THE LOCAL GOVERNMENT BILL.

MR. HERBERT LEWIS (Flint, &c.): I beg to ask the President of the Local Government Board how soon the Local Government Act will be officially published in the Welsh language?

MR. SHAW-LEFEVRE: The translation has been made, and the proofs are now being revised. Copies will be ready at an early date.

#### THE RIGHT OF PUBLIC MEETING IN THE TRANSVAAL.

MR. TOMLINSON: On behalf of the hon. Member for the Ecclesall Division of Sheffield, I beg to ask the Under Secretary of State for the Colonies whether the Transvaal Volksraad have passed a Bill gravely restricting the right of public meeting, forbidding all outdoor meetings, and giving the police power to attend and disperse by force of arms, on their own responsibility, out-of-door meetings, and any other meeting of more than five persons; whether the severe penalty of two years' imprisonment and £500 fine is fixed for a breach of this law; and whether Her Majesty's Government propose to protest against this grave infringement of the liberties of British subjects resident in the Transvaal?

MR. S. BUXTON: We are now in telegraphic possession of the purport of the law passed by the Volksraad of the South African Republic on the 17th July. The right of the inhabitants to unite in meetings is acknowledged, but the exercise of the right can, in the interests of public peace, be restricted; meetings are prohibited which are in conflict with public peace, having for their objects disobedience or contravention of laws and regulations, hindrance to persons in execution of their duty, or advocating measures of force or violence; also meetings of an indecent nature. Public meetings or unions of persons who meet in conference are not allowed in

the open air, nor public addresses of any kind in the open air, nor processions of whatever nature, except with the consent of the Government or the Local Authority; the right is given to the police or detectives to enter public meetings, by force if necessary. The Local Authority is given power of forbidding under certain conditions an assembly of more than six persons in open places or streets. Whatever may be its merits or demerits, the South African Republic appear to be acting within their rights in passing such a law.

**MR. W. JOHNSTON:** Will the hon. Gentleman say whether this is not the state of things which the Protestants of Ireland were delivered from by William of Orange?

**MR. S. BUXTON:** I think the hon. Member had better ask that question of the Chief Secretary.

**MR. T. M. HEALY (Louth, N.):** Were they Dutchmen?

\***MR. SPEAKER:** Order, order!

#### THE TOWER BRIDGE.

**MR. J. ROWLANDS (Finsbury, E.):** I beg to ask the President of the Board of Trade whether he will grant a Return of the accidents, fatal or otherwise, which occurred during the construction of the Tower Bridge, together with the cause of the accidents and names of the injured?

**MR. BRYCE:** The Board of Trade have not the materials to enable them to grant such a Return. Under the Notice of Accidents Act which has recently become law they will, in future, be possessed of such materials, but the Act is not retrospective. I have, however, asked the Corporation of the City of London to furnish the Board with the information required, and a copy of their reply shall be laid on the Table of the House.

#### GOVERNMENT LIABILITY FOR LIBEL.

**MR. GIBSON BOWLES:** I beg to ask the Attorney General whether any immunities from the ordinary law attach to any Government Department in regard to the publication of newspapers by that Department; and, if so, whether he can inform the House what those immunities are?

\***THE ATTORNEY GENERAL (Sir J. RIGBY, Forfar):** This is a purely hypothetical question on an abstract point

of law, and I hope the hon. Member will not consider me to be guilty of discourtesy if I decline to answer it. I have no authority to state the law and no duty to give an expression of opinion on such a subject.

#### IRISH PROBATE REGISTRY OFFICIALS.

**MR. THOMAS HEALY (Wexford, N.):** I beg to ask the Chancellor of the Exchequer whether the duties of the clerks in the District Registry Offices of the Probate Court, Ireland, will be largely increased by the operation of Clause 13 of the Finance Bill, extending the jurisdiction of Inland Revenue officers in probate matters; and whether, seeing that these clerks are in receipt of small fixed salaries with no annual increase, any addition will be made in their salaries proportionate to the extra work thrown on them?

**THE CHANCELLOR OF THE EX-CHEQUER (Sir W. HARCOURT, Derby):** The remuneration of these clerks will be considered if it is found on experience that the existing rates of pay are not sufficient.

#### THE INCIDENCE OF TAXATION.

**MR. HUMPHREYS-OWEN (Cornwall, Launceston):** I beg to ask the Chancellor of the Exchequer whether he can hold out any hope that an inquiry as to the real incidence of local taxation, and how that taxation should be borne by the two descriptions of property, realty and personalty, may be held during the Recess, with a view to legislation on the subject next Session?

**SIR W. HARCOURT:** I am afraid I cannot say any such inquiry will be undertaken in—I was going to call it the present Recess—but, at any rate, in the Recess which I hope we shall have at an early date.

#### THE MINES (EIGHT HOURS) BILL.

**MR. J. A. PEASE (Northumberland, Tyneside):** I beg to ask the Chancellor of the Exchequer whether at least a week's notice will be given the House, in the event of facilities being at the disposal of the Government for the House pronouncing a judgment on the Mines (Eight Hours) Bill?

**SIR W. HARCOURT:** I will endeavour to give the best notice I can, but I

cannot bind myself to any particular time.

**MR. J. A. PEASE :** I hope that the right hon. Gentleman will not spring the Bill on the House in view of the number of pairs that are absent. Many hon. Members now paired wish to take part in the discussion of this Bill, which is of a non-political character.

**SIR W. HARCOURT :** It is not within my province to meddle with the delicate question of pairs. I agree that it would be most improper to take the Bill without notice, and I will take care to see that notice is given.

**MR. PAULTON (Durham, Bishops Auckland) :** Is it intended to take the Bill before or after Supply ?

**SIR W. HARCOURT :** Before Supply.

#### TOBAGO.

**COLONEL HOWARD VINCENT (Sheffield, Central) :** I beg to ask the Under Secretary of State for the Colonies if it has yet been settled how the revenue of the Island of Tobago is to be recouped the loss of the fiscal duties levied before its incorporation with Trinidad ; and if any steps are contemplated to arrest the present downward movement, and to assist Her Majesty's Commissioner in restoring the former prosperity of the island, due to the fertility of the soil and benignance of the climate ?

**MR. S. BUXTON :** The Secretary of State has satisfied himself that the loss of revenue to Tobago due to the abolition of Import Duties between that island and Trinidad is inconsiderable, and that it is compensated by the advantage to the Tobago community of freedom of trade between the islands. The recent falling-off of the revenue of Tobago was mainly due to diminished production, caused, to a great extent, by disputes between planters and metayers, which has now been happily adjusted. Production appears to be now improving.

#### COTTIER TENEMENTS IN IRELAND.

**MR. M'CARTAN (Down, S.) :** I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to a resolution unanimously adopted at the last meeting of the Ballymena Board of Guardians, whereby they called upon the Government to pass a law providing that no

letting of a cottier tenement or sub-letting prior to the Land Act of 1881 shall debar a tenant from having a fair rent fixed ; whether he is aware that the Guardians, as a Sanitary Authority, protested in their resolution against the recent legal decisions on sub-letting as opposed to the policy of the Labourers Acts and welfare of the linen weavers and tenant farmers ; and whether, considering that the Board consists of both landlords and tenants, he will have regard to this unanimous expression of opinion when dealing with the amendment of the Irish Land Laws ?

**MR. J. MORLEY :** My attention has been called to the resolution in question. As my hon. Friend is aware, the Select Committee inquiring into the working of the Land Acts is at present considering the whole question of sub-letting, and, pending the Report of the Committee, it would be premature for me to express an opinion in the matter referred to.

#### RIGHTS OF POLICE SEARCH.

**MR. W. REDMOND (Clare, E.) :** I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that, on the 13th of May and on the 2nd July 1894, Sergeant Thomas Gillick, of Crusheen Police Station, stopped and searched Michael Tierney on the public roads, near his own house, near Crusheen ; and whether the police have any authority to stop and search people in this way ; and, if not, whether the practice will be put an end to ?

**MR. J. MORLEY :** It is a fact that on the night of the 13th of May last Michael Tierney was met on the public road by Sergeant Gillick, and that the latter, suspecting Tierney might be carrying firearms in contravention of the Peace Preservation Act, asked his permission to search him, and did so with his permission. The sergeant did not meet Tierney on the 2nd July. The police have power under the Peace Preservation Act to arrest and convey before a Magistrate any person reasonably suspected of having unlicensed arms in a proclaimed district, but they do not resort to this power except in cases where the suspected person declines to allow himself to be examined.

**MR. W. REDMOND :** Then am I to gather that unless the person so stopped

*Sir W. Harcourt*



gives his consent the police have no power to search him?

MR. J. MORLEY: I am not sure that that is so.

#### PHOENIX PARK REGULATIONS.

MR. T. M. HEALY: I beg to ask the Secretary to the Treasury have the Board of Works, while extending the privileges for equestrians who play polo in the Phoenix Park, issued new rules restricting privileges formerly enjoyed by bicyclists in the use of the park roads; under what statute do they propose to enforce this rule, and what are the penalties for disobedience; is it the fact that the Court of Queen's Bench was obliged, ten years ago, to quash a conviction for furious driving in the park made in the Metropolitan Police Court; have the Board of Works acquired any fresh statutory powers since that date; and have the market gardeners and others at the Strawberry Beds had their old rights to use the park roads restored to them?

\*SIR J. T. HIBBERT: I am informed that the privileges of equestrians who play polo in the Phoenix Park have not been extended, nor have any rules been issued limiting the privileges of ordinary cyclists. For some years cycle clubs have been allowed to hold races on the park roads, application for special permission for the particular day and hour being made in each case by the representatives of the clubs. There were at first few races and few competitors; recently the enormous increase in both races and competitors, accompanied by the attendance of professional bookmakers, has created such a condition of affairs that the Commissioner of Police has called the attention of the Board of Works to the public nuisance and danger thereby constituted. As the permission to hold the races given by the Board of Works somewhat hampered the discretion of the police in dealing with the matter, the Board have decided to limit the races this year to a particular course, and not to issue permissions to race in the next season. The passes to the market gardeners have been extended to 31st March, 1895, to enable the question of the County Roads to be brought before the Grand Jury of the County Dublin at their next meeting for fiscal business. The conviction referred to in the 3rd paragraph was allowed to be quashed, as the

summons was informal; the question of law was not before the Court. The Commissioners of Public Works have not acquired any fresh statutory powers since that date.

MR. T. M. HEALY: When the conviction was allowed to be quashed because it was informal, was the Crown represented at the hearing?

\*SIR J. T. HIBBERT: No, Sir; the Crown did not appear.

#### RICHMOND PRISON.

MR. T. M. HEALY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if it is under Section 31 of "The Prisons Act, 1877," that the Irish Prisons Board handed over Richmond Prison to the War Department; if so, in whom is the property now vested, and under what conditions; was there a deed of grant or assignment; and, if so, where can it be inspected; was the Dublin Corporation, which expended £110,000 on the prison, consulted; and would it be possible to present to Parliament any Papers or correspondence exhibiting a view of the transaction between the Prisons Board and the War Department?

MR. J. MORLEY: It was under Section 31 of the Prisons Act, 1877, that the Irish Prisons Board handed over Richmond Prison to the War Department, in whom it is now vested, subject to the payment by that Department of an annual ground rent of £137 4s. 4d. for such period as the Secretary of State for War may deem expedient. There is no deed or grant of assignment as suggested in the question, nor was the Dublin Corporation consulted in the matter—no such step having been required either in England or Ireland on the closing of a prison under the Act of 1877. With regard to the final paragraph, I would draw my hon. and learned Friend's attention to the Parliamentary Return No. 343 of 1892, containing a statement of the circumstances connected with the closing of the Richmond Prison, and Return No. 14, Session 3 of same year, prepared at the War Office, relative to expenditure on the prison.

MR. T. M. HEALY: If there was no deed of assignment the War Office are tenants at will, and can be ejected at any time by the Prisons Board.

MR. J. MORLEY: I do not know.

**MR. T. M. HEALY** : I will ask the Secretary of State for War to-morrow, and see what he says.

#### CUSTOMS DUTIES AT THE CAPE.

**SIR J. LUBBOCK** (London University) : I beg to ask the Under Secretary of State for the Colonies whether, in regard to the correspondence between Mr. Rhodes and the Imperial Government as affecting Customs Duties, any proposition was made by the former to allow a general preferential treatment of British goods at the Cape; and, in that case, what answer, if any, has been sent?

**MR. S. BUXTON** : No proposal was made by Mr. Rhodes to the Imperial Government to allow a general preferential treatment of British goods at the Cape. The only proposal made referred simply to Matabeleland and Mashonaland, and information regarding it will be found in Blue Book No. 177.

#### THE OTTAWA CONFERENCE.

**COLONEL HOWARD VINCENT** : I beg to ask the Under Secretary of State for the Colonies if, now that the Secretary of State has learnt from the Earl of Jersey, Her Majesty's Commissioner at the Empire Conference at Ottawa, the earnestness of the desire of the great self-governing Colonies for the removal of all Treaty obstacles to the development of trade within the British Empire, and the cultivation and extension of the mutual and profitable interchange of British products upon a more favourable footing than that on which trade is carried on with other countries, even at the sacrifice of Colonial revenue, prompt steps will be taken towards this end, and, as a commencement, the despatch to the British South Africa Company of 11th June, 1894, peremptorily refusing the spontaneous offer of better terms for ever for British over foreign goods in Matabeleland and Mashonaland will be withdrawn?

**MR. S. BUXTON** : When Lord Jersey reports on what passed at the Conference his Report will be considered. Naturally, until then, no action will be taken. It is not proposed to withdraw the Despatch referred to, the purport of which the hon. Member has mis-described in his question.

**COLONEL HOWARD VINCENT** : I beg to give notice that on the Colonial Estimates I shall call attention to the action of the Secretary of State on this matter.

#### BEHAR CADASTRAL SURVEY.

**MR. HENNIKER HEATON** (Canterbury) : I beg to ask the Secretary of State for India whether his attention has been directed to the judgment of the Deputy Magistrate of Gopalgunge, Behar, in the case of the "Empress v. Jageswar Rai and others," tried on 15th January, 1894, in which a Government Surveyor, under the Behar Cadastral Survey, and another person officially described as "the hanger-on of the Surveyor," charged a number of ryots with beating them; whether he is aware that the Magistrate found that the complaint of the Surveyor and his hanger-on had only been lodged 10 hours after one of the ryots had complained to the police of having been beaten by the Survey party for refusing, as he alleged, to give them rations; also that the story of the Surveyor and his hanger-on was absurd and improbable; that it certainly was not the truth, and had apparently been concocted; and that they had been simply seeking to intimidate the ryot, while the story of the ryot was found to be a more probable narrative, and fined the ryot, the hanger-on, and the Inspector of the Behar Cadastral Survey 20 rupees apiece; and that the judgment stated that the police had taken no action on receiving the complaint of the ryot, except to send him to hospital for his wound, but that on receiving the Surveyor's complaint, 10 hours afterwards, they had taken immediate action on the latter complaint, the hanger-on being also sent to hospital the next day with a wound similar to the ryot's; and whether the Papers in this case can be laid before Parliament?

**THE SECRETARY OF STATE FOR INDIA** (Mr. H. H. FOWLER, Wolverhampton, E.) : I have received no Report on this matter, but I will make inquiries as to it.

#### EVICTED TENANTS IN IRELAND.

**MR. T. W. RUSSELL** : I beg to ask the Chief Secretary for Ireland if any progress has been made with the Return promised as to the number of evicted farms taken by new tenants since the



sittings of the Mathew Commission, in continuation of the Return up to that date?

**MR. J. MORLEY**: I have directed the Return to be proceeded with as expeditiously as possible. I will inquire how far it has gone.

**MR. W. KENNY** (Dublin, College Green): Will the Return distinguish between the farms let to old tenants and those to new tenants?

**MR. J. MORLEY**: I should think so. It will be a continuation, in form, of the first Return, at all events.

#### COMMANDEERING IN THE TRANSVAAL.

**MR. MACDONA** (Southwark, Rotherhithe): I beg to ask the Under Secretary of State for the Colonies, to whom I have given private notice of the question, whether he knows anything of the statements made in a telegram in *The Standard*, dated "Johannesburg, Monday," to the effect that General Joubert has impressed a number of British subjects at Zoutspansberg into the Boer Army, and that among the conscripts is an English journalist who had given offence by his criticism of the Boer campaign?

**MR. S. BUXTON**: I know nothing of this telegram, and as the South African Republic has released those British subjects whom it had impressed, by reason of the Convention we hope to conclude with the Republic, if any others have been impressed it must have been done under a misapprehension, and no doubt they will be released also.

**MR. MACDONA**: Will Her Majesty's Government take measures to secure the safety of British subjects?

**MR. S. BUXTON**: They have been doing so.

#### ORDERS OF THE DAY.

##### EQUALISATION OF RATES (LONDON) BILL.—(No. 124.)

##### SECOND READING.

Order for Second Reading read.

\***THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD** (MR. SHAW-LAFEVRE, Bradford, Central): The Bill which I have the honour to move the

Second Reading of is for the purpose of giving effect to a Resolution, carried unanimously in February of last year, that provision should be made for the further equalisation of rates throughout the Metropolis. That Motion was debated through the best part of the night; and with the single exception of the hon. Member for the City of London, there was no opponent to the Motion. It was universally admitted that the state of things with regard to the inequality of rating which prevailed in the Metropolis was such as urgently needed reform; and it was shown, in the course of the Debate to which I have referred, how unequally the rates pressed on the poorer districts. It may be said that, as a rule, the rates of the Metropolis vary inversely with the wealth of the districts. The rich districts are lightly rated in proportion to their wealth, and the poor districts are heavily rated in proportion to their poverty, and no one who looks at that state of things can doubt that it requires some remedy at the hands of the Legislature. I need not remind the House that this state of things arises from the circumstance that London, unlike other towns, is divided into a number of separate districts, with separate management and separate rating powers as regards local matters, and from the fact that the people of wealth are aggregated together in a few districts in the Centre and West, while the poor are collected together in separate districts in the East, North, and South. This fact is very clearly brought out by the very remarkable difference in the valuation assessment per head of the population in different parts of London. In the East the assessment of valuation per head of the population is small; in the Centre and West it is very high. In Bethnal Green the valuation is £3 6s. per head of the population; in Mile End Old Town, £3 10s.; in Plumstead, £3 9s.; and in St. - George's - in - the - East, £4 4s. On the other hand, in the wealthy parishes the case is very different. In St. George's, Hanover Square, the valuation is £23 12s. per head of the population; in St. James's, Westminster, £29 16s.; and in the City of London the valuation reaches the enormous amount of £110 per head of popu-

lation. It follows that a rate of 1d. in the £1 per head of the population produces in the City of London about 30 times as much as in St. George's-in-the-East; and a rate of 1d. in the £1 per head of the population produces, in St. George's, Hanover Square, nearly seven times as much as in St. George's-in-the-East. The House will easily see how serious a matter any additional expenditure, such as the appointment of a Sanitary Inspector, must be to the poorer parishes as compared with the favoured parishes in the West End. In spite of the efforts which Parliament has made from time to time to equalise the rates as between the rich and poor districts, there is still a very great difference in the rates levied. Thus in Bermondsey the rates in 1893 reached the crushing amount of 7s. 6d. in the £1; in Bow, 7s. 11d.; in Rotherhithe, 7s. 5d.; in Camberwell, 6s. 6d.; in Bethnal Green, 6s. 10d.; in St. George's-in-the-East, 6s. 1d.; and in Mile End, 6s. 8d. In the wealthy districts the reverse is the case. In the City of London, which is divided into over 100 parishes, each separately rated for certain purposes, the rates amounted on an average to 4s. 10d.; in St. George's, Hanover Square, to 4s. 8d.; in St. James's, Westminster, to 4s. 1d.; in St. Martin's, to 5s. 1d.; and in St. Margaret's to 4s. 11d. It will be seen, therefore, that at the present moment the rates in the poorer portions of the Metropolis are 50 per cent., and in some cases as much as 90 per cent. higher than the rates in the wealthier districts. But the difference between rich and poor districts in this matter becomes more glaring when we subtract that portion of the rates which represents the common expenditure levied on the whole of the Metropolis—namely, the expenditure of the County Council, the School Board, the Metropolitan Asylums Board, and the equalised Poor Law expenditure, which amounts in all to about 3s. 3d. in the £1. Subtracting that 3s. 3d. from the total rate, it appears that the unequalised part of the rate is equivalent to 4s. 3d. in Bermondsey, 3s. 7d. in Bethnal Green, 4s. 2d. in Rotherhithe, and 3s. 3d. in Camberwell; while in the City it is only 1s. 7d., in St. George's, Hanover Square, 1s. 5d., in St. Martin's 1s. 10d., while in St. James's, Westminster, it is only 10d. It appears, therefore, that in re-

spect of the unequalised parts of the rates, the poor parishes pay three, four, or five times as much as the richer parishes. But that is not the only disadvantage of the poor parishes. It is notorious that the valuation of houses is on a much higher scale in the poor parishes than in the rich parishes. In order to make the rate in the £1 appear as light as possible, the valuation in poor parishes is screwed up as high as possible, while in the rich districts the inducement is to keep the valuations low in order to conceal invidious comparisons as to the great difference in the rate in the £1 as compared with poor districts. This disparity between rich and poor districts is continually growing, and the difference would have been far greater if Parliament had not already interfered to equalise the rates. Three efforts have been made in this direction in respect of the Poor Law. In 1867 Mr. Gathorne Hardy, now Lord Cranbrook, threw the cost of the Poor Law establishment on a common fund to be supported out of a rate levied over the whole of London. In 1870 this was carried a step further by the right hon. Gentleman the Member for St. George's, Hanover Square, who charged to the common fund the sum of 5d. per head per diem in respect of indoor paupers. By these two operations equalisation has been effected to an extent of what now represents £1,200,000. In 1888 this principle was carried a little further by Mr. Ritchie, who distributed the Indoor Pauper Grant, amounting to £320,000, among the ratepayers of London, not in proportion to the rateable value of the parishes, but at the rate of 4d. per head per diem in respect of indoor paupers. That principle is a very sound one, but I do not think it was happily carried out by Mr. Ritchie, because that particular distribution of the Indoor Pauper Grant has been stereotyped for all time, and, therefore, parishes which may increase in population will not get the benefit of an increased grant.

MR. W. LONG (Liverpool, West Derby): Even though they may have more indoor paupers.

\*MR. SHAW-LEFEVRE: The hon. Member will see by the Act that the distribution of the Indoor Pauper Grant has been stereotyped according to the proportion of paupers existing in 1888.

The result of these three operations in the direction of equalising the rates is that the wealthy parishes have been called upon to pay considerably to the burden of maintaining the poor in the poorer districts. The City of London contributes 7½d. in the £1, St. George's, Hanover Square, 5d., Westminster 3d., Kensington 3½d., Paddington 4½d., Hampstead 6½d., while the poorer districts receive a large benefit. St. George's-in-the-East is relieved to the extent of 2s. 7d. in the £1, Bethnal Green 1s. 6d., Mile End Old Town 11d., Whitechapel 8½d., Stepney 8½d., Poplar 6½d., Shoreditch 6d. In all 19 unions and parishes receive a benefit from these operations, and 11 have to contribute out of their rates for the relief of the others. I should here state that the object of the operations in 1867 and 1870 was not merely to relieve the ratepayers of the poorer districts of an intolerable burden, but to enable the authorities in such districts better to perform their duties to the poor. I find that the right hon. Gentleman the Member for St. George's, Hanover Square, speaking in 1870 of the scheme of his predecessor, Mr. Gathorne Hardy, in 1867 said—

"Before the equalisation of rates parishes which were overburdened with rates frankly confessed the necessity for an increased number of relieving officers and paid nurses, but were unable to support further expenditure for the purpose; but as soon as the burden of taxation became more evenly distributed, they then recognised the necessity for increasing their staff and not without good results. I hail the increase in the number of relieving officers as one of the very greatest advantages which has resulted from the new system."

I confirm these remarks. I desire to call the attention of the right hon. Gentleman the Member for St. George's, Hanover Square, to the proposal contained in this Bill, for I shall presently show that precisely the same argument is applicable to the present scheme. There is another important point to which I wish to call the particular attention of the House. In spite of these efforts in relief of the poorer parishes, the disparity which exists between them and the rich parishes is even greater than it was in 1867 and 1870, for the burden of rates of the poorer parishes is greater, and is ever increasing. I have here a very remarkable Return,

which shows how rapidly the rates have been growing in the poor parishes as compared with the wealthy parishes of the Metropolis. I own I was greatly startled at the increase of the rates in the poor parishes even since last year; and I beg to say that, strong as the case was for this measure last year, it is infinitely stronger at the present moment, because of this enormous growth of the rates in the poorer parts of the Metropolis. I find that in the rates levied in 1893 as compared with the rates of the previous year there was an increase in Poplar of 1s. 2½d.; in Lambeth of 11d.; in Bow, 8d.; in Camberwell, 6d., and so on; whereas, on the other hand, when I come to the rich parishes I find that in St. James's, Westminster, there was an increase of 1d.; in St. Mary's, Strand, a decrease of 1d., and in St. George's, Hanover Square, an increase of ½d. Therefore, the argument in favour of a measure such as I am now proposing has become greatly strengthened year by year, and if the Bill be not adopted it will become still stronger and more urgent in the years to come. The disparity as regards the increase of rates between the rich parishes and the poor parishes is due to three main causes. In the first place, there is an unequalised portion of the Poor Law expenditure—the total of which is £820,000 a year on the average; and it may be said, roughly, that the poor rate in the poor parishes is 50 per cent. higher than in the wealthy parishes. The second cause of inequality is that the rates for common expenditure are not levied by an equal rate over the whole Metropolis, but the contribution for each parish is calculated and a demand is made on the parish, and as the leakage of rates from empties and the difficulties of collection are far greater in the poor parishes than in the rich parishes this has to be provided for by an additional rate in order to meet the demands of the County Council. The leakage in the different parts of London is shown by a Return which has been laid on the Table. I think it a very interesting and significant Return. It shows that the leakage in the City of London is 3 per cent., equal to 2d. upon a rate of 4s. 10d., while in the poorer parishes, such as Bermondsey and Bethnal Green, the leakage amounts to 15 per cent., which

in their cases is equivalent to 13½d. It is obvious from this that the difficulty of collecting the rates through the householders being unable to pay amounts, in the case of the City of London, to only 2d. in the £1, whereas in Bethnal Green it amounts to as much as 1s. 1½d. in the £1.

MR. GOSCHEN (St. George's, Hanover Square): Does that include compounding?

MR. SHAW-LEFEVRE: It does; but compounding counts for a very small part of it—in the case of Bermondsey, only one-fourth of this 1s. 1½d.

MR. R. G. WEBSTER (St. Pancras, E.): Is the right hon. Gentleman not aware that 13,815 out of 16,000 in Bethnal Green are compounding?

\*MR. SHAW-LEFEVRE: I have not made an estimate as to Bethnal Green, but I have made it in the case of Bermondsey, and as the result I find that it is only one-fourth. The other three-fourths relate to the difficulty in collection in respect of other property. The poor parishes suffer greatly in regard to difficulty of collecting the rates in comparison with the richer districts of London. The third cause of inequality is even more important, in that no equalisation has been attempted in respect of the general and sanitary rate—the expenditure on this head amounts to over £2,000,000 a year—and, roughly speaking, it may be said that the poor parishes pay double the amount that the rich ones do, though the necessities of the poorer parishes in respect of sanitary purposes is at least as great, if not greater, than in the richer parishes. I find that in St. George's, Hanover Square, the rate is 9½d.; in St. James's, Westminster, 6½d.; in St. Martin's, 11½d.; while in Bermondsey it is 1s. 8½d.; in Bethnal Green, 1s. 8d.; in Mile End Old Town, 1s. 8d.; Newington, 1s. 9d.; and in other poorer parishes somewhat less, but, at any rate, far greater than it is in the richer parishes. It will perhaps be said that this excess of expenditure in the poor parishes is due to extravagant and bad management. I can only say that in the opinion of the very best authorities at the Local Government Board there is no general ground for a charge of this kind, but rather the reverse. If any charge

*Mr. Shaw-Lefevre*

of that kind is to be made against any of the Local Authorities—and I am far from making any—I should say that the extravagance, if any, is to be found in the rich parishes and not in the poor. I do not complain of any of them. I do not think that St. George's, Hanover Square, pays more than it should do for sanitary purposes. There is, of course, a difference in the management of some as compared with others. But, in the opinion of the best authorities, the poor parishes do not expend what they ought to do on sanitary matters—they are, in fact, prevented from doing so by the heavy burden of their rates. As a general rule, expenditure on such matters is more necessary in thickly populated districts than in the thinly populated parishes; and it is necessary not merely for the health of the people of the district, but for the sanitary well-being of the whole of London. But the burden of such expenditure falls ten times more heavily on the rates of the poor districts than on the rich. I will give one illustration of this by the item of removing dust and refuse, which costs for the whole of the Metropolis £250,000 a year. This service is of great importance to the health of London, and it is even more necessary in poor districts than in richer ones. It is also more costly in the poorer districts, inasmuch as the collection from a large number of small houses is more expensive than from a small number of large houses. I find that St. George's, Hanover Square, expends £4,800 a year in this service, involving a rate of ½d. in the £1. In Bethnal Green, with a population more than double that of St. George's, the service costs only £3,300 a year, which involves a rate of 2d. in the £1. If the service were performed as well and at the same relative cost as at St. George's, the charge in Bethnal Green would be 6d. in the £1, or 12 times as much as that in St. George's. Again, the roads in St. George's, Hanover Square, cost £855 per mile, involving a rate of 4½d.; the roads in Mile End cost £530 per mile, and the rate there is 10d. in the £1.

SIR J. BLUNDELL MAPLE (Camberwell, Dulwich): Are not the streets wider in St. George's?

MR. SHAW-LEFEVRE: Not all. Some of the streets in the east of

London, especially those in Whitechapel, are extremely wide.

**MR. R. G. WEBSTER :** Does the right hon. Gentleman take into consideration the traffic ?

**\*MR. SHAW-LEFEVRE :** The traffic converging upon these poor districts is as great as anywhere in London. I do not think there is much to be got out of that. The fact is, that everything tells against the poor parishes and in favour of the rich parishes ; and there can be no doubt that the authorities of the poor districts are deterred by the extreme burden of the rates from undertaking many services which are necessary for the health of their people, and, indeed, for the health of all London. It was in view of all these facts that Parliament in February last year unanimously came to the conclusion that something more must be done to afford relief to the poor districts at the expense of the rich, and to carry the process of 1867, 1870, and 1888 somewhat further. The Local Government Board, which is quite impartial in the matter, has considered the various schemes suggested. My right hon. Friend, who last year occupied the position of President of the Local Government Board (Mr. H. H. Fowler), gave great attention to the whole subject, and came at last to the conclusion that there were only two alternatives within reasonable possibility. One is the proposal before the House, and the other to levy a rate on the whole of the Metropolis and to distribute it again in proportion to the expenditure of the several districts. It is obvious, however, that this would act as an inducement to extravagance, not merely in the poor parishes, but in the rich—the poor parishes would spend more in order to get a larger subvention ; the rich parishes would spend more in order to avoid a contribution. My right hon. Friend showed, I think, great wisdom in declining altogether to have anything to do with that plan. If it has commended itself to some hon. Gentlemen opposite I am sure that on consideration they will come to the conclusion that it is impossible. Besides, even if the objection I have referred to

did not exist the plan would create greater anomalies than these we have at present. The City of London would contribute hardly anything to the common fund, and the whole object in view is to make the City and the richer parishes in which the rates are low, provide more adequately out of their larger means for the burdens of the Metropolis. Any scheme which would not effect that object would be useless, and might as well be thrown into the waste paper basket. The only practicable alteration in the law is that contained in the present Bill—namely, to levy a general rate over the Metropolis and to distribute it in aid of sanitation in proportion to the population. It is proposed to levy a rate of 6d. in the £1 on the poor rate valuation, and to distribute it in the parishes and districts in aid of the sanitary rate in proportion to the population. The effect will be that the rich parishes will contribute more than they will receive, and the poor will receive more than they will contribute. Of the 43 parishes and districts, 14 will pay to the fund and 29 will receive. This may, however, appear an over-statement, for, in some cases, the results will be small either way. There will be 22 parishes which will receive amounts over 2d. in the £1, and 10 which will have to contribute over that amount. This proportion works out very much the same as in the previous schemes, and particularly in that of my right hon. Friend in 1870. I think, however, that the distribution of the fund under the present Bill will be more equitable than under that scheme. The relief received by poor parishes will be much greater proportionally than the burden imposed on the rich parishes. Thus the City of London will contribute 5½d. in the £1, or £96,000 ; St. George's, Hanover Square, 4d. in the £1 ; Westminster, 4½d. ; and Kensington, 2d. On the other hand, Bethnal Green will have a relief of 8½d. ; Mile End Old Town, 7½d. ; St. George's-in-the-East, 5d. ; and Poplar, 4d. I need hardly say that, although this proposal will do much to lessen the burden of the poor parishes and will reduce the disparities between them and the rich parishes, it will not effect a complete equalisation. The scheme also will not remove all the anomalies which now exist, but,



looking at it broadly, it greatly reduces them, and will result in a much greater general approach to equality. I do not believe it is possible to go further at the present time, unless we are prepared to centralise the management of the Metropolis. Complete equalisation cannot be effected by spreading an equal rate over the whole Metropolis without centralising the administration and doing away with local management and local rating. It will be said that the scheme will leave many anomalies undealt with, and that it affords relief in an unequal manner. I think that where these anomalies are examined in detail it will be found that they do not result from the present scheme, but from some peculiarities of the districts independent altogether of the proposal. Let me take the case of St. Luke's. The parish clerk of that district has been particularly active in rousing opposition to this Bill. He has filled the air with objections and lamentations as to the way his parish is treated. It appears that the rates in St. Luke's are 5s. 11d. in the £1, and it will receive a merely nominal contribution—a halfpenny. [VOICES: "A farthing!"] When we look into the facts, we find that St. Luke's is burdened with a very heavy debt of 1s. in the £1, or 10d. more than the average of local debts. This debt was incurred for a very expensive scheme of reconstruction of its streets, which it undertook against the advice of the Metropolitan Board of Works. I am sorry to say that it was plundered of a great deal of money by one of its officers, who bought up property on the sites it was proposed to improve after having ascertained in his official capacity where those improvements were to take place. This man afterwards became a member of the Metropolitan Board of Works, but was turned out when it came to light that he had made a great deal of plunder in this way. St. Luke's has no claim whatever for relief in respect of this debt. ["Oh!"] If we subtract the 10d. of excess interest on this debt we find that the rates will be 5s. 1d. in the £1, or below the average, and it cannot be pretended that it is entitled to exceptional relief as compared with all the poor parishes. Other smaller anomalies, I believe, can be explained as

resulting from existing local circumstances, and are not due to the principle of the scheme. But, in fact, if we were to wait for a scheme which would remove all anomalies, we might wait for the Greek Kalends. No one of the critics has ventured to produce any other scheme which would work out more fairly. I defy anyone to produce such a scheme. One of the merits of this scheme is that it will not reduce the inducements in favour of economy and good management. Extravagance or bad management must be followed by higher rates. On the other hand, it will remove some of the pressure on the poorer districts, and will enable these authorities better to perform their duties to the people in providing sanitary works. It is said they ought to wait for the reform of the Vestries and the re-arrangement of their boundaries. This is only another way of opposing the Bill. Nothing was said in the Debate last year of the expediency of deferring any attempt till we reform the Corporation of London and amend the constitution of the London Vestries. But it must be obvious to anyone that the greatest difficulty in the way of alteration of boundaries is and will be the disparity of rating, and the objections of persons to being removed from a lightly-rated district to a heavily-rated one. The more the rates are equalised, the more easy it will be to undertake any such reform. I do not think that the House will be induced by the hon. Member for Chelsea to reject this Bill on any such ground. Neither do I think the eloquence of the Members for the City and St. George's, Hanover Square, will persuade the House that these districts will be too heavily rated. The very object of the Bill is to levy a contribution from these rich parishes in favour of the poor districts, and any scheme which will not have the effect of making the City or St. George's, Hanover Square, contribute largely to the fund will be perfectly useless for the purpose aimed at. What we desire is to levy a contribution on the wealthy parts of London, which are now most lightly rated, in favour of the poor districts, which are heavily rated, in order to enable the authorities better to perform their duties, and to lessen the burden on the poor. It is in furtherance of the

*Mr. Shaw-Lefevre*

policy of treating London, not as a congeries of separate and independent items, but as one great community, with common interests, common duties, and equal burdens, as far as is compatible with the maintenance of local management, that I move the Second Reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Shaw-Lefevre*.)

\*MR. ALBAN GIBBS (London): In rising to move the rejection of this Bill I do not wish it to be supposed that either I or other gentlemen on this side of the House who will, I hope, support me to-day, are opposed to any system of equalisation, or that we at all wish to prevent every parish from bearing its fair share of the burdens of the Metropolis. What we do feel is that this Bill does not equalise rates, but it in many cases makes them more unequal than they were, while it proceeds on no rational principle as former attempts at equalisation have done, but rather makes confusion worse confounded. We fear that without altering every line in the Bill it will be impossible to amend it, or, I confess, that some of us would prefer to have treated it in that way; but I can assure the House that if the Bill should pass the Second Reading, we will do our best in Committee, if not to make it a fairly workable measure, at all events to make it a better measure than it is at present. When the hon. Member for Southwark moved the Resolution last year on which this Bill was founded, he told us that the rates already equalised amounted to 3s. 3d. per £1, and that amounts to nearly two-thirds of the average rate, so that we have already, with the cordial consent of all parties, gone a long way, and I think we are entitled to consider well before we proceed further, especially upon an entirely new principle. We have, as the House knows, equalised the education rate and the police rate by putting them each under one central authority, which levies an equal rate for them. Again, we have equalised the poor rate by the Common Poor Fund, in which an equal rate is levied, and the money distributed among the various parishes according to the number of their poor in asylums, hospitals,

and workhouses, and according to their needs as prescribed by the Local Government Board. Now this system has worked satisfactorily, and I think it is much to be regretted that you did not base your new equalisation, if an equalisation was wanted, on some modification of that system instead of on the most unscientific and haphazard method of counting noses instead of considering needs. Indeed, Sir, it seems to me that the Government must have reflected that the parishes of the Metropolis were deprived of the intellectual treat of a Parish Council, and in the absence of any other entertainment for them they decided to set up a lottery, which, though, as far as I can understand it is only drawn once in five years, may be expected to foster a healthy excitement among them. I do not pretend to be much of a sporting man, but I have been credibly informed by people who go in for lotteries that the prizes generally fall to rich and economical people who have no particular need of them. In this case, Sir, the great prize has fallen to Islington. Now, I do not pretend, Sir, to be very sorry for that. I believe Islington to be a thoroughly well-managed parish; its rates are low, its poor are very few in proportion to its population, and it returns three Conservative Members, whom I trust I may call my very good friends, and, in short, has everything respectable and nice about it. But when the Government propose to present it with £21,320 under the name of equalisation, we must be forgiven if we find it difficult to treat the subject with gravity. Now, Sir, the incidence of the Common Poor Fund, which is administered on a reasonable basis, is no bad test of the poverty and riches of a parish; and what does the House suppose Islington receives from that? Why, Sir, on balance it does not receive at all, but, on the contrary, pays £13,903, which sum, with a 50 per cent. bonus, it is to get back again under this grotesque Bill. Again, Wandsworth Union pays £16,281 to the Common Poor Fund, and is to receive £13,761. Marylebone receives £3,243, and is to pay £9,658. Many other instances could be given. Well, Sir, these results come from taking the basis of the population instead of the needs of different parishes, and this basis has another absurd aspect, in that it absolutely pays a parish to overcrowd. The



hon. Member for Southwark said, in the Debate on the Resolution which gave rise to this Bill, that

"High rates meant high rents, and high rents led to overcrowding of tenants, and that meant unhealthy surroundings, disorderly conduct, poverty, disease, immorality, and crime."

I am sure, Sir, after these sentiments it must have been a terrible shock for him to have a Bill founded on his own resolution, which offers a premium to overcrowding. Of course, the purposes to which the money is to be applied, as far as they relate to the Public Health Act, may certainly be considered to be more than of local importance; but I really do not see why parishes should not attend to their own lighting and roads. It would almost seem that the Government see that some parishes will get more than they want for sanitary purposes, and they, therefore, introduce paving and lighting in order to get rid of the money. Sanitary purposes, however, are national as much as municipal, and I do not think it would be a much wider departure from precedent if you were to put the charges for such purposes on a national fund than it is for you to pay for them under the head of population. It has been said, and said very often, that we ought not to grudge what is done for the sake of the poor. But are you sure that the poor will get so much benefit from this? In the parts of London described as the richer parts, where most property is held on leases, we are told that the ground landlords hold most of London, and when we took our houses we reckoned on paying so much rent and so much rates. Now, when the rates are increased we have no power of going to the landlord and saying, "This house is not worth so much; make my rent less." "No," he says, "you have your lease; go on." But it is very different in the poor parishes. There the inhabitants do not, as a rule, hold on leases at all, and as soon as the landlord finds the rates are reduced he can go and say—"Your house is worth more now the rates are down, and if you won't pay an increased rate there are plenty who will." It appears to me that the result will be, in effect, that rate-payers in one district will have to pay for ground landlords in another. Moreover, though there are cases where rich parishes have lesser rates than poor, in many cases the reverse is the case.

*Mr. Alban Gibbs*

Fulham pays 6s. 3d., and surely that is a far richer district than Mile End, which pays 5s. 9d. Again, why are the rates so high in some parishes and low in others? Has administration nothing to do with this—not only the proper economy practised by some and neglected by others, but the habit of taking things in time and not letting necessary repairs stand over until too late to repair at all, and the leakage alluded to by the President of the Local Government Board produced by indiscriminately allowing compounding? Is it not a grave injustice that parishes who have reduced their rates in this way should have them raised because others have been less thrifty? Well then, Sir, if we must have the basis of population might we not have had it taken on a fairer system than a night census once in five years? I fear I shall not be able to convince the right hon. Gentleman of the soundness of what I am going to say, as he has been good enough to tell us, with the greatest frankness and courtesy, that the whole object of this Bill is to get money out of the City. Many parishes derive their rating value entirely from people who live there in the day but go elsewhere to sleep. The City is, of course, the greatest sufferer from neglecting this fact. Its population by the night Census is 37,694, while the day population by the Corporation Census taken some time ago was 301,384, or more than eight times as much. It has been already recognised that the City is entitled to exceptional treatment in this respect. The Chancellor of the Exchequer, when bringing in the London Government Bill in 1884, in which representation was given to districts on the basis of population and rateable value taken jointly, said it was—

"In regard to the City of London having respect to the smallest of its resident population and the greatness of its rateable value, we do think it would be fair to deal with it on the same footing as the other districts, and we have given it a proportion of representation upon the basis of rateable value alone."

The City, of course, is not the only district injuriously affected. Southwark and other similar places suffer, though none perhaps to the same extent. The City already contributes very largely to outside improvements in addition to paying for its own poor and the education of its own children, and since the County

Council's time it has received no contribution to improvements within the City, though it has contributed £900,000 to improvements outside. I do not wish to dilate, however, on this matter, but I would just say one word in conclusion. The right hon. Secretary of State for India said, referring to my speech on the former occasion—

"I do not accept the view of the hon. Member for the City at all. The view he has laid down is in direct antagonism to the principle which has prevailed in every other Municipality in the world, the principle that a Municipality has one common interest,"

and so on. I cannot trace in the report of my speech what it was I said which offended against the principle that a Municipality is one and has common interests. Now, Sir, representing as I do the oldest Corporation in England—one which the Chancellor of the Exchequer spoke of in the same speech as having been a real Corporation with a real municipal life, it is not likely that I should wish to belittle municipal feeling. We were reminded a few days ago that *Poeta nascitur non fit*, and I think we may well say *Municipium crescit non fit*. I do not think that the fact that you have a mass of heterogeneous parishes congregated about London, which have been by a recent Act of Parliament allowed to assume the name of the "County" of London, will at once lead to the creation of municipal feeling amongst them, or make the different parishes feel that their interests are common. I am told that in the case of a great public calamity animals, and men too, give up their ordinary instincts, and though accustomed to prey upon one another, yet co-operate with one another to get over that calamity. And though I do not suppose I shall be accused of thinking too highly of the London County Council, I do not think that it can be considered to be such a public calamity as to have forced all these different parishes to regard their interests as one, nor do I suppose it has made Hampstead feel any great desire to put down a wood pavement in Lewisham. I beg to move that the Bill be read a second time this day three months.

\***MR. BOULNOIS** (Marylebone, E.) seconded the Motion for the rejection of the Bill with great pleasure, because he thought in a matter of this kind the City

should not be required to stand alone, although he admitted that this Bill affected the City much more than it did any other district of London. This Bill was described as a Bill to make better provision for the equalisation of London rates as between the different parts of London. He should have described the Bill as a Bill to continue and aggravate the present inequalities in rating which existed in different parts of London. The Bill had also been described, and was considered, he believed, by a great many persons as a Government Bill, and it was so described in the Orders of the Day. But, for himself, reading through the lines, he could not fail to trace the handwriting of the London County Council. He shrewdly surmised that his hon. colleague the Member for Shoreditch had had a hand in drafting and preparing the Bill, and had, no doubt, been ably abetted and aided by some well-known Progressive members of the London County Council, and they knew that the present Government were the most obedient servants of the London County Council. They were willing on on all occasions when it suited them to assist the London County Council in every possible way, even when the London County Council proposed to reject some very useful water supply, because the members of the London County Council made it known to the Government that unless the Government came forward to help them, they on their part would not give their support to the Government. Everything was political at the London County Council, and he could see pretty plainly that it was thought this was a good opportunity of doing something which would win them popularity in certain districts. He could only describe this Bill as a most barefaced bribe to certain constituencies. He had not the least doubt the London County Council thought that it was a very good opportunity of hitting some of the constituencies which were believed to be not altogether favourable to the present Government—some of the constituencies which were practically impregnable, such as the City of London, St. George's, Hanover Square, the Strand, and even the constituency of Marylebone, for which he spoke in a very humble manner. They thought it was a good opportunity to punish those constituencies which affected

Tory principles, and to endeavour to do something for those which might be a little more doubtful with a view to trying to draw to their side constituencies which were now represented by Conservatives, such as certain parts of Camberwell, parts of Islington, and probably parts of Hackney. This Bill was introduced with the very specious title of the Equalisation of Rates (London) Bill. On the first blush it was believed to be an equitable Bill, and it was thought that it would receive general approbation from both sides of the House, and generally from the districts throughout London. The Bill had been spoken of from the Front Bench opposite several times as a non-contentious Bill, and quite lately the Chancellor of the Exchequer alluded to it in that sense, and said there were several hon. Gentlemen who sat on the Opposition side who were in favour of the measure, and therefore there ought to be no difficulty in passing it. While he believed there were some gentlemen on his own side who did not look upon this Bill with great disfavour, he was extremely sorry that so unjust a principle as was enunciated in the measure should find favour on his side of the House, because hon. Members' constituencies happened to be the recipients under it of what he thought he might, without offence, describe as the official spoliation which was contemplated in the Bill. When the Bill was printed and read and thought over, it assumed a very different aspect, and a perfect chorus of disapprobation proceeded from the parishes that were more particularly interested, and he thought it could not be denied by anyone that if the Bill should become law it would create in some districts of London the very greatest dissatisfaction. The Bill established an entirely new principle in taxation which had never been tried before—namely, of making a rate upon the valuation of property and distributing it according to population. He believed there was no other instance of that kind, and it would lead to very serious anomalies, some of which had already been described. St. Giles, which everybody would concede was a poor parish, now paid a rate of 5s. 8d. Islington, which could not be described as a poor parish, now paid a rate of 5s. 2d.

*Mr. Boulnois*

MR. LOUGH (Islington, W.): The rate this year is 5s. 6d.

MR. BARTLEY (Islington, N.): It is 5s.

MR. BOULNOIS said, the return he had with him gave the rate as 5s. 2d.

MR. BARTLEY said, his authority was a paper issued by the London County Council on the 31st March, 1894, in which it was stated that the average for the five years from 1889 to 1893 was 5s.

MR. LOUGH said, that this year the Islington Vestry had presented a petition to the House in which they stated that the rates had been steadily increasing from 4s. 1d. in the £1 in 1887 to 5s. 6d. in the £1, which was the present rate.

\*MR. BOULNOIS said, the return he held in his hand gave the rate at 5s. 2½d. What he said was that, according to his idea of justice and equity, Islington being a fairly rich parish ought to contribute to St. Giles's, which was a poor parish; whereas, as the Bill stood, St. Giles's would have to pay 5s. 9d., whilst Islington would only have to pay 4s. 11d. That was a great anomaly. One of the best tests as to whether a parish in a matter of this kind should pay or receive was that of the number of paupers in the workhouses, because people did not go into the workhouses unless they were actually driven there. He had a return which gave the population of the indoor poor at the ratio of per thousand, and the amount that would have to be paid or received in some parishes. He took, first, three parishes in the north district which were grouped together in the returns presented from time to time by the Local Government Board. Marylebone, with a population of 142,000, had 3,000 indoor poor, or a ratio of rather more than 21 per thousand. Marylebone under the Bill would have to pay something like £10,000 a year. Islington, with a population of 319,000, had 2,600 indoor poor, or a fraction of over 8 per thousand; but Islington under the Bill would receive £21,000 a year. Hackney, with a population of over 198,000, had 2,464 indoor poor, or a ratio of rather more 12 per thousand, and Hackney would receive £15,000 a year. Passing to Poplar in the East of London, he found the population was over 166,000, the indoor poor 2,694, or a ratio of rather

more than 16 per thousand, and Poplar would receive £16,000 a year. Lambeth, with a population of 270,000 and 3,096 indoor paupers, would receive £16,000 a year; and Camberwell, with a population of 235,000 and 2,587 indoor paupers, would receive nearly £21,000 a year. The most shocking case that could be cited was that of Islington. He was sorry to have to make allusion to it in those terms, because, of course, they all knew that it was a good parish, but no one would contend that it was a poor parish, or that it did not carry out its sanitation and lighting in the best possible way. Yet it was to receive £21,000 out of the common fund, to which Marylebone was to pay £10,000. In Islington the total poor were 6,261 and in Marylebone 3,281; but the ratio per thousand in the former case was a little more than 19, and in the latter case a little more than 23. He did not contest the principle that the rich parishes should help the poor parishes. That was right and proper; but it should be done on equitable and just principles. He knew of no fairer method of dealing with this question than that which had been referred to by the President of the Local Government Board—the system which had been in vogue for several years, and which had stood the test of experience—the Common Poor Fund. Under this system the Local Government Board prevented waste and extravagance; but under the Bill there would be no control of the extravagance or fancies of the receiving parishes. Those familiar with London parochial affairs must recognise that there was a tendency on the part of Local Authorities to recklessness and indifference whenever they could dip into a common purse. Islington would play with this £21,000 which it was to receive. Under the Bill the contributions would be received and distributed by the London County Council. That meant adding to the duties and powers of the Council, a thing that body dearly liked, and the creation of a large additional staff, and it would mean more extravagance. There had been no inquiry on the part of the Local Government Board into the administration and expenditure of the several parishes; and it seemed likely that the parish which had been economical would now have to pay for the

extravagance of others. The figures which the right hon. Gentleman had given as to the disparity of rates were startling, perhaps; but it was notorious that in the parishes where these very high rates existed there was a great deal of mismanagement and waste. That must be the experience of most hon. Members of the House. The very tables issued by the Government showed how unequally this tax would fall, and how little thought had been given to the whole question by the Government. The Government ought first to have dealt with a Bill creating separate Municipalities in London; and they ought also to have introduced a valuation Bill. The present measure was unjust and immoral—unjust because it did not relieve sufficiently the poorer parishes, but gave to those which were not at all in want of help, and immoral because it offered a bribe to the constituencies either to continue their support or transfer their support to the followers of the present Government. He heartily seconded the Amendment.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Mr. Alban Gibbs.*)

Question proposed, "That the word 'now' stand part of the Question."

MR. J. STUART said, it was rather remarkable that the Amendment moved was not that put down by the hon. Member for Chelsea, but simply a direct negative to the Second Reading. The arguments adduced in favour of the Amendment led him to believe that there was no intention to divide the House. The broad lines of this question were these. The rates of London were very heavy in the poor districts and light in the rich districts. At one extremity was St. James's, Westminster, with a rate of 4s. 1d., and at the other was Bow, with a rate of 7s. 11d. In the last few years the rate in St. James's had risen about 2d. and the rate at Bow had risen about 1s. 6d. London being an organized whole, with one part dependent on another, he appealed to the representatives of Liverpool and other large towns where there had been a considerable equalisation of rates to support this Bill. By the changes that had already been

effected there had been to some extent an equalisation of the rates carried into effect, but not altogether in the sense of relieving the poorer districts, because under the Common Poor Law system Marylebone, which was a well-to-do parish, had obtained considerable relief at the expense of the general rates. No doubt in any case the Local Government Board had power to check extravagance on the part of any particular district. He should like to ask the House whether it was possible to carry out any scheme for the equalization of rates without providing for a strong central control over the expenditure such as was proposed by this Bill. It had been said that the measure offered no inducement to economy, and that, on the contrary, it offered every inducement to extravagance. But he thought that its effect would be exactly the contrary. If the hon. Member for the City of London would take the trouble to read the Bill he would see that the measure provided that the rates levied under it were to be set out upon the ratepayer, so that the ratepayers might see for themselves whether the rates were being increased or diminished, and in this way would be able to exercise an intelligent control over the expenditure. The right hon. Gentleman, in introducing the Bill, said that the object of the measure was not only to equalise the rates, but also to enable the Local Bodies to perform their duties with greater efficiency without raising the general rate. To show how unfairly the present system worked, he might point out that the parish of Marylebone spent nearly four times as much upon sanitation and road cleansing as the parish of Bethnal Green spent.

MR. BOULNOIS: I should like to know whether the hon. Gentleman is speaking from any Return?

MR. J. STUART said, he was speaking from the Returns which were made by the Vestries to the London County Council. It had been said that this Bill was introduced not for the purpose of equalising the rates, but for a political object. But if hon. Members would look at the long list of parishes which were benefited by the Bill he would see that quite as many Tory as Radical districts were benefited under the provisions of the measure. In such circumstances

*Mr. J. Stuart*

it was unfair to brand this Bill as a political measure. He did not think that any hon. Member would deny that the equalization of the rates was in itself a good thing. It was true that in one or two instances complaint had been made as to the probable unjust working of this Bill. In the case of St. Luke's, for instance, it was said that the Bill would work unfairly; but, in reality, St. Luke's was burdened by a debt that no Equalization of Rates Bill would be able to meet. Under the Bill London would be divided into two sections; in one of these, which contained 3,000,000 of the poorer inhabitants, the rates were above the average; and in the other, which contained 1,000,000 of the richer inhabitants, the rates were below the average. By the scheme for the equalization of rates proposed by the Bill no parish whose rates were above the average would have its rates increased, while, on the contrary, no parish in which the rates were below the average would find its rates diminished. The principle of the Bill was that the richer districts should contribute towards the rates of the parishes that were poorer. It would be seen that in Islington there was very little compounding and very little loss in the collection. As to the question of compounding, the hon. Member for St. Pancras (Mr. R. G. Webster) by a question he interjected had seemed to raise a suspicion that 13-60ths of Bethnal Green were paying 25 per cent. less than the rates that ought to be paid. As a matter of fact, one-half of this 25 per cent. was an insurance against the empties, and the 10 or 15 per cent. left was allowed to landlords in lieu of the expenses of collection. He had gone very closely into this matter in connection with Shoreditch, and he was assured by a gentleman who had been for 14 years Chairman of the Finance Committee that the method of compounding adopted there was a cheaper method for the parish than that of raising the rates directly, so that if the principle of compounding were not adopted the rate for the parish would be even higher than it was at present. In Bethnal Green the whole of the compounding, including the allowance of the landlords, amounted to 8 per cent. from a 1d. in the 1s. Therefore, if in Bethnal Green the rates stood at 6s. 10d., and the whole of this sum were left at a calculation, the rates would

still stand at 5s. 10d., or much above those of the contributory parishes which were to be called upon to assist Bethnal Green. He must, however, entirely dissent from this comparison, inasmuch as the system of compounding was valuable to the parish. He had only one more anomaly to refer to, and that was the anomaly of Kensington. The case of Kensington gave him an excellent opportunity of showing exactly where the advantages of this Bill came in. Kensington had made considerable complaint because its rates were to be raised slightly under this Bill. At present its rates were below the average of the rates of London, being 5s. 6d., and they were to be raised to 5s. 8d. Considerable complaint had been made because the poorer district included in the parish—namely, North Kensington—was not going to get any allowance under the Bill, but was going to have its rates raised. Kensington might be divided into two exactly equal portions of North Kensington and South Kensington. In North Kensington the rateable value per head of the population was rather less than £6, whilst in South Kensington the rateable value was £16. Therefore, the poorer portion of Kensington was getting the benefit of the expenditure of the richer portion. Kensington spent per head of the population nearly four times as much in its sanitary arrangements as was spent by Bethnal Green, and, of course, North Kensington got the benefit of this extra expenditure. If the rates were divided equally between North Kensington and South Kensington in proportion to the work done, North Kensington, in order to obtain the benefits it now enjoyed, would have to pay no less than 10s. in the £1, whilst South Kensington would only pay 4s. By the accidental association of these two districts, sanitary affairs were properly attended to in the poorer districts, owing to its conjunction with the richer districts. This was exactly what was sought to be done for the rest of London, and the Government had endeavoured to produce a measure which would steer clear of the difficulties necessarily incidental to such an operation. The measure would give the reasonable amount of relief; it was well guarded, and it would enable the poorer and insanitary districts of London to place themselves

more in the future in the position which North Kensington now occupies, owing to its union with South Kensington.

SIR J. LUBBOCK (London University): Whatever differences of opinion there may be as to this Bill, I think we shall all be agreed that it is a measure of very great importance and complexity. My hon. Friend who has just sat down says it will give a small measure of relief. Well, but it transfers a sum of over £220,000 a year from one set of persons to another, and that sum capitalized would amount to over £4,000,000, and, probably, to £5,000,000. It will be admitted on all sides that this is a proposal of very great importance, and for which good and conclusive reasons ought to be given. The City already contributes very largely—I am told as much as £500,000—to the expenditure of London generally, and there ought surely to have been some inquiry before additional burdens were imposed. Moreover, it is very unjust that in such a case as the City, which is mainly occupied by offices and warehouses, the night population only should be considered; but I will leave the special case of the City to be dealt with by others. No doubt the title of the Bill is attractive, but I shall hope to show that it is very misleading. The Bill is, moreover, a very crude measure, and omits many considerations which should be taken into account in any proposal to deal with the adjustment of local taxation. The difficulty of dealing with London questions is not their magnitude, but their complexity, and this Bill will make them even more confused and complex than ever. The equalisation of rates is a problem of much difficulty. Why do we keep rates separate from national expenditure? Because it is desirable to leave Local Authorities the power of regulating their local expenditure. But if you leave them the power they must take the responsibility. If we leave them to settle the expenditure and then call upon others to pay the bill it is easy to see that we should open the door to great extravagance. The old principle of the Liberal Party was that taxation and representation should go together. But in this Bill, as in others, the present Government propose that one set of persons should spend the money and another set

should pay the bill. I have heard this Bill supported on the ground that London as a whole should pay for the poor. But this Bill has nothing to do with the Poor Law; that is dealt with by the Metropolitan Common Poor Fund. The funds under this Bill are for totally different purposes. In considering any question for the equalisation of rates, then, we must do so on its merits. But I maintain that the title of this Bill is misleading. We have been told that it is a Bill to equalise rates in London to relieve the ratepayers in the poorer districts by a contribution from the richer districts. Now, is this so? I think I shall be able to show that it effects neither of these objects, while it would tend to remove the inducements to economy, and in the long run increase the rates all round. As the Parish Clerk of St. Saviour's, Southwark, has justly observed, "many rich parishes will benefit at the expense of poorer parishes." I am sorry to trouble the House with figures, but in discussing such a Bill it cannot be avoided. Now, what are the facts? Fulham will still pay 6s. 6d.; Rotherhithe, 6s. 8d.; Bermondsey, 7s. 4d. On the other hand, Islington's rate of 5s. 1d. is to be reduced to 4s. 10d. Islington, indeed, with a rate of 5s. 1d., will receive no less than £21,000 a year under the Bill, while 20 parishes with higher rates will have to pay. Kensington with a present higher rate will pay £18,000. Indeed, while Islington receives, some 20 other districts with higher rates will have to contribute. It is called an Equalisation of Rates Bill, but whereas at present Kensington pays 1½d. more than Islington, under the Bill it will pay 7½d. more. So far from equalising the rates, it makes the difference much greater than it is at present. Moreover, whereas the rates of Islington are 1½d. below those of Kensington, Kensington is to pay, while Islington receives no less than £21,000 a year. At present St. George's-in-the-East pays 5s. 4d.; under the Bill it will pay 4s. 10d. While St. Martin-in-the-Fields now pays 4s. 10d., it will pay 5s. 3d. The difference is almost the same, but the position is reversed. I have shown then, I think, that the Bill does not equalise rates, but in many cases actually increases the existing differences. Mr. Loch, the Secretary of the Charity

*Sir J. Lubbock*

Organisation Society, has written to me on the subject of this Bill, and sums up by saying, "This Bill does not equalise rates." Several parishes which ought under the ostensible principle of the Bill to contribute to the fund will not only not do so, but will actually receive grants, because they happen to have been combined with a larger district. On the other hand, some parishes, because they are included in a sanitary district, will receive less than they would have done if they stood alone. The Bill assumes throughout that the nominal rates in different districts are equivalent to one another and can be fairly compared. But this is not so. Thus in Bethnal Green the rate is stated to be 6s. 7d., but as a matter of fact this only applies to a small minority of the houses and to the larger ones only. Out of a total of 16,500 houses, the rates are in no less than 14,000 paid, not by the tenant but by the landlord, and an allowance is made of 25 per cent., so while the rate levied is nominally 6s. 7d., the rate actually paid is only 5s. This important consideration affects all the poorer districts, and the fact is that, as regards the vast majority of houses in the poorer districts, the rates are practically the same as those in the City—namely, 5s., and the result of the Bill will be that, whereas they are now about the same, you will make the City pay 5d. in the £1 more. The better class of houses in the poorer districts do not, of course, receive the allowance, but then the rate has been allowed for in the rent. Now, let me say a word as to the incidence of rates. If it is the custom to let land below its exact value, then the rate will fall on the tenant. If land or houses are rented at full value, then on the expiration of the lease, the rates will fall on the landlord. We are told that the object of the Bill is to relieve poor parishes. But what do we mean by a poor parish? I presume that the Government wish us to understand by the term a parish in which the inhabitants are poor—not all, of course, but a large proportion. I doubt whether the House has any idea of the extent to which compounding has been carried. If we take some of the poor parishes—Bethnal Green, Bromley, Poplar, St. George's, Southwark, Woolwich, and Bermondsey—there are 45,000 houses, and of these the rates are paid in no less



than 39,000 by the landlord. I have not the figures in detail for the other poor districts, or, as it would be more correct to call them, districts of small houses, but the figures would be about the same. Taking the Metropolis as a whole, out of some 550,000 houses the rates in 200,000 are paid not by the tenants, but by the landlord. The result, therefore, is that the benefit of the Bill will go not to the tenants, but to the landlords. The right hon. Gentleman the President of the Local Government Board (Mr. Shaw-Lefevre) will hardly question this, because in the Debate on the Budget he quoted with approval the authority of the right hon. Gentleman the Member for Midlothian as having "established the fact that rates were ultimately paid by the owner of the land." This is, of course, immediately the case as regards tenements occupied by compound householders. In the long run, then, the effect of this Bill will be to take money from the landowners in certain parts of London, and increase the value of the property of landowners in other parts. Is there the least reason to suppose that one set of landowners are poorer than the other? We have absolutely no evidence on the subject. A great deal of poor property is owned by very rich men. I am told that there is reason to believe that land in the City is more subdivided than elsewhere. A great deal of it is held by Companies—not City Companies in the ordinary sense—but Insurance Offices, Trust Companies, and other concerns, the shares of which are very much divided, and many of them in the hands of women and children. You are going to lower the value of their property to raise that of other landowners. But we have absolutely no evidence that those persons whom you are going to deprive of a part of their property are any richer than those to whom you are going to make this gigantic gift. In many poor districts there are large blocks of property owned by very wealthy men. You are going to endow them with an enormous gift, without reason and without inquiry. There is, I think, a very erroneous impression as to the amount contributed by the City toward London expenditure. I will take Lambeth as typical of what is called a poor parish. The value of property per head is £5 13s., and the contribution to rates is £1 10s.

Now, how does the City stand? The valuation of the City per head is £110, or, speaking roughly, about 20 times as much as that of Lambeth. Now, what is the contribution? The City contribution is £25, against £1 10s., or, again, about 20 times as great, so that the proportion of contribution is about the same as that of rateable value. But there is this difference: that the contribution of £1 10s. paid by Lambeth is for the benefit of Lambeth, while a very large part of the £25 contributed by the City is spent not for its own advantage, but for the benefit of other districts. Sir, let me ask the House whether the City does not bear a fair proportion when it is paying in rates no less than £25 per head? And yet under this Bill we are called upon to contribute £100,000 a year more. The City is the unfortunate "predominant partner," and, like another predominant partner, is to be content with less representation and more taxation than its share. We have paid, and are paying, enormous sums for schools, parks, and other objects, excellent in themselves, but for the advantage of other districts. But now let me ask the House to consider the uncertainty which this Bill will introduce into all business transactions. When it passes, if you buy a property you cannot tell what you are buying; if you rent a house you cannot tell what liabilities you are incurring. At any moment the Government may swoop down and transfer part of your property to someone else, or confer part of someone else's property upon you. Take the case of two men about to rent business premises. They look at two offices and compare the advantages, and what rent they will have to pay. As sensible men they naturally consider the rates. After doing so one takes an office in Kensington, the other in Islington. Then comes the Government and introduces their Bill. The unfortunate man who has taken his office in Kensington has to pay 6d. more in the £1 than he calculated for the benefit of the other. Is this justice? Moreover, it is a curious thing that in several cases this Bill neutralises the effect of the Common Poor Fund. For instance, Holborn receives under the Common Poor Fund; it has to pay under this Bill; Marylebone also receives, but under this Bill will have to pay; and the same is the case with Whitechapel. Islington pays

to the Common Poor Fund, but under this Bill will receive £21,000 a year. As Mr. Acworth justly says, this Bill

"should be called not a Bill for equalisation, but a Bill for the perpetuation of anomalies, and the introduction of confusion into the finances of London."

Now, Sir, what has been the effect of the Common Poor Fund? The figures are very remarkable. The fund was started in 1867. Now, the number of outdoor poor have, I am happy to say, greatly diminished from 39 per 1,000 in 1865 to 19 per 1,000 in 1893. In London also the proportion has fallen from 24 per 1,000 in 1865 to 11 in 1893. But how about the indoor paupers? In the country they are stationary; they were 6·3 per 1,000 in 1865, and they are 6·5 now. In London they were 10 per 1,000 in 1865. Then came the establishment of the Common Poor Fund, under which localities are added in proportion to the indoor poor. In 1870 they had risen to 11·5 per 1,000; in 1880 to 14; in 1893 to 15 per 1,000; so that they have increased no less than 50 per cent. In *The Charity Organisation Review* the writer of an able article justly says—

"Is there anything remarkable in the fact that the Unions have adhered to a policy under which a large portion of their expenditure is repaid to them by the richer parishes of London? In 1891, by the operation of the Metropolitan Common Poor Fund, Bethnal Green was thus repaid £21,679, of a total expenditure on relief of £69,309; Whitechapel, £11,368, of an expenditure of £47,351; and St. George's-in-the-East, £19,429, of an expenditure of £42,714. Is it remarkable that none of these Unions should have ventured to try a system of relief the cost of which, whether or not it might of itself be economical, would fall entirely on any Unions which embarked on it? Out-relief has never of late years had fair play in any of the poor parishes of London."

And he condemns what he calls

"the revolution which has taken place in the scale of our Poor Law establishments, and the wholesale extravagance encouraged by the Metropolitan Common Poor Fund."

Mr. Acworth, who is, I need not say, a great authority on London government, says—

"The central grant system is a great premium on local extravagance."

This Bill would not only have the same effect, but in an exaggerated form, because the provisions for control are absent. Mr. Loch, the Secretary of the Charity Organisation Society, in his

*Sir J. Lubbock*

letter from which I have already quoted, says—

"The principle of the Metropolitan Common Poor Fund is adopted in the Bill, but without even its safeguards. It is generally acknowledged that the Guardians are always more ready to spend freely when the expenditure proposed to be incurred is chargeable to the Metropolitan Common Poor Fund. . . . But these sums are expended for purposes clearly specified under various Acts and in accordance with the requirements of the Local Government Board, and subject to the supervision of their Inspectors—conditions which will not hold good in regard to the expenditure to be undertaken under the Equalisation Bill. . . . Consequently we may expect that it will lead to extravagance even more than has the Metropolitan Common Poor Fund. . . . It would be a pity, I believe, to add one more to our London anomalies. . . . And some better basis for distribution should be found."

The right hon. Gentleman who has charge of the Bill referred somewhat severely to the Vestry Clerk of St. Luke's, but, having read the document issued by that gentleman, I must say it seemed to me to be characterised by great knowledge of the subject. I did not understand him to make particular objection to the claim stated by the right hon. Gentleman, and, as I understand the matter will be referred to by an hon. Member behind me, I will not go into it. I would, however, just quote a few sentences from the Clerk of St. Luke's. Taking a wide and statesmanlike view of the question, he has condemned the Bill in no measured terms—

"It is," he says, "little short of iniquitous to hand over to Local Authorities very large sums of money, and leave them to dispose of this money at their own unfettered discretion as the Bill does. This prospect of independent action with regard to funds provided by others, must have a fascinating but most unhappy influence upon the recipients. The Bill provided no control whatever over the expenditure of the grants from the Equalisation Fund, either similar in character to the check which is placed upon Boards of Guardians receiving contributions from the Metropolitan Common Poor Fund, or otherwise; in my judgment, a most unprecedented proposal and a vital omission from the Bill."

One effect of this Bill will be that the total expenditure for local purposes will be largely increased, and, in districts where the rates are relieved, the rates will go up. Now, Sir, if the House passes this Bill, you cannot stop here. Why should you? Why should you not rate all lightly-rated districts for the benefit of others which are more heavily rated, and as you allocate the money on the basis of population you must rate all

rural districts for the benefit of the urban population. Is this fair? Is it likely to conduce to economical administration? I have shown that, so far from equalising the rates, it in certain cases increases the difference — turns, for instance, the present difference of 1½d. between Kensington and Islington into one of 7½d. At the same time, it weakens terribly the inducement to economy. Districts will say to themselves, "We may as well spend money liberally; no doubt for a time we shall have to pay, but soon we shall have a generous Liberal Government, who will rate our neighbours for our benefit." As the other districts, however, will take the same course, the rates will rise all round, and everyone will suffer. Sir, I think I have shown that the Bill does not equalise rates, but in many cases increases the differences; that it would not affect poor tenants, but in the main would benefit one set of landlords at the expense of another; that it would introduce fresh complexities and anomalies; that it contains no safeguards and would tend to encourage extravagance; and that it is essentially unjust. In its present form, then, it is open to very grave objections, and if it is to effect the avowed intentions of Government, will require careful and numerous alterations in Committee.

\*Mr. BARTLEY (Islington, N.) thought the great mistake which underlay the speech of the right hon. Gentleman who introduced the Bill was that the rating seemed to vary adversely with the poverty of the ratepayers, and that all the rich lived together, and all the poor lived together. That was really the basis of his argument, and was a great fallacy. This question could not be treated as if all the members of particular classes lived together. The fact was, that the various classes were more mixed up than people usually supposed. Westminster, the parish in which they were then assembled, would have to pay very heavily under this Bill; but it contained abject poverty as well as great wealth, and the same measure will be meted out to the poor of the slums as to the rich residents of the parish. Those Members who had listened to the sermons of the Rector needed not to be reminded of the close association of great poverty and great wealth. In altering the rates as proposed they

would be really adding to the taxation of some of the poorest in many parishes. The right hon. Gentleman had said this Bill was intended not so much for the equalisation of rates as to enable money to be spent for necessary purposes in certain places. He agreed in the absolute necessity for expenditure upon sanitary objects, though to base equalisation of rates upon expenditure would be fatal. It would lead to extravagance, and he would oppose any such system. The right hon. Gentleman's statement that the object of the Bill was to make London pay was amusing.

Mr. CAMPBELL-BANNERMAN :  
The City.

Mr. BARTLEY said, he took the right hon. Gentleman's statement and that of the hon. Member for Shoreditch (who talked about "our Bill") together, and they were rather suggestive. The statement was certainly that the object was to make the City pay, and he had no objection to its paying a fair share. No doubt some fairer system, some kind of equalisation, was absolutely necessary, and he had always advocated it. All were agreed that the poorest districts should be as far as possible relieved, and that the wealthier should pay more; but looking at these figures, it could not be right that Battersea should pay 5s. 9d. and Bermondsey 7s. 4d. Did the Bill set these anomalies right, for that was what it professed to do all through London? Representing Islington he was in a peculiar position, for that parish was to get the largest part of the money—more than 10 per cent. of the whole sum raised. But one ought to be fair whatever might happen, and with opponents all round him he would endeavour to put the matter, as it seemed to him, fairly. At present the rate in Islington was low. The parish was well managed and was nearly as large as Birmingham. Standing alone, and not regarded as part of London, it would be one of the largest cities of this great Empire. He would, in all his references, take his figures from the London County Council Returns, as the fairest and most accurate, and they were based on an average of the last five years. The rate for Islington, at present 5s.,

would become 4s. 9d.—lower than that in any parish receiving benefit under the Bill. Though Islington had its poorer quarters, nobody could say it was poorer than Bow, Poplar, or Limehouse. In Bow the rate was 7s., and would under the Bill be 6s. 5d.; in Poplar 6s. 6d. would be reduced to 6s. 2d., and in Limehouse 5s. 11d. would become 5s. 7d. Were those figures for far poorer parishes fair in comparison with Islington? He was speaking of this as a matter of strict equity. Again, Ratcliff and Wapping, contiguous parishes, were for all practical purposes in precisely the same circumstances. At present their rates were equal—5s. 4d.; and why did the Bill relieve Ratcliff to the extent of 3·81d. and Wapping only ·67? For a reason the fact was given that one of them contained Dock property; but the same class of people lived in both, and yet the Bill was going to make this great difference, and destroy the present equality between them. That showed there was something wrong in the way the Bill was framed. The great difficulty in the Bill was that it was based on a dangerous system of averages, than which there was no more difficult subject to deal with. The rich Hanover Square district was much lower rated than the poorer Bethnal Green: at present 4s. 6d. and 6s. 2d. respectively, they would become under the Bill 4s. 10d. and 5s. 5½d. Why should the smaller sum be paid in the rich, and the larger in the poor parish? But the House must remember that in taking these averages they were mixing up the rich and poor in the different parishes. Hon. Members acquainted with Marylebone would know that that parish contained some of the very poorest class of ratepayers—for it must not be forgotten that each individual ratepayer living in a rich parish would have to pay the rate whether he was rich or poor. He had taken considerable trouble to work out the position and rates of every parish referred to in the London County Council's tables, and had taken the average per householder as a better plan than taking the average payment per head. The average holding worked out at £48 for London. Taking that as the unit, the rich districts would average above, and the poorer below that figure. These figures were taken from the new Census Returns, Vol. 2, pre-

pared at the request of the London County Council, and he would accept them as absolutely correct. They showed the most flagrant injustice. Hon. Members ought not to be led away by the title of this Bill, but should endeavour to see how it would work. The matter was very complicated, and as he had stated, he had endeavoured to work out the rating and position of every parish referred to in the table, taking the average householder's assessment as a better way of obtaining an average than payment per head, and in that way he had arrived at his figure of £48 as the average rateable value of a holding in London, the rich districts being above, and the poor below that sum. To show what flagrant injustice would be done by this Bill he would call attention to the four following parishes:—St. Katherine's-by-the-Tower, a small parish; St. Paul's, Covent Garden, a large parish; Wapping; and the Minorities. In St. Katherine's-by-the-Tower the rates were at present 6s. 7d., and this Bill would simply take off one farthing, making the rate 6s. 6¾d. It seemed monstrous that the few people inhabiting that parish should be left at that very excessive rate. In St. Paul's, Covent Garden, the rates were 5s. 1d.—rather below the average; they were to be increased to 5s. 6d., although the district was a poor one and in some parts its property miserable and even squalid in the extreme. In Wapping the rates were 5s. 4d. at present, and they were to be 5s. 3¼d. In the Minorities the rates were very high, 6s. 4d., and under this Bill they were to be reduced by one-halfpenny only—to 6s. 3¾d. Could it be said that a measure containing those anomalies could be called in any sense a measure for the equalisation of rates? These results might be gratifying to persons in districts with large docks, factories, and workshops in their midst to have these rates fixed; but that was not the way the poorer people would look at the matter. They would ask, "Why have our rates been left so high in this system of equalisation?" Take such places as Islington, Norton Folgate, Whitechapel, St. Luke's, Holborn, Stoke Newington, and Shoreditch, varying very much—from 5s. to 6s. 1d. They were all to be raised or lowered without any special reason assigned. Holborn, which happened to be rated very

low at present, 5s. 1d., was to be raised by a small sum, though it contained a very poor district and a large number of poor people, the amount of rating being rather increased owing to low rents and other circumstances. Then take Stoke Newington, a parish lying alongside and having identical features with those of North Islington. It had at present a higher rate than North Islington—5s. 2d. as against 5s.—and yet under this Bill Islington was to be given 3d. and Stoke Newington was only to have 1½d. The result would be that Islington would stand at 4s. 9d. and Stoke Newington at 5s. That was most unreasonable. Such anomalies ought not to exist, yet this Bill was supposed to equalise. The rates of many parishes, such as St. Olave's and St. Thomas's, Southwark, Covent Garden, St. Mary's-le-Strand, Kensington, Hampstead, &c., were higher than the rates in Islington, yet their rates were to be raised whilst those of Islington were to be lowered. Why should those parishes, where the rates were already higher than in Islington, be still further increased? Was that fair? Then taking the poorer end of the scale, Plumstead, now 6s. 2d. would become 5s. 2d. Camberwell, now 6s., would be 5s. 7½d.; Limehouse 5s. 11d. would be 5s. 6½d. Those parishes, though poorer than Islington, were rated far higher. He did not believe that the inhabitants of Islington wished to have their rates reduced at the expense of poorer districts, but of course if Parliament insisted on giving £21,000 a year to Islington they would be glad to take the money. It was the duty of the House to consider whether a Bill which sanctioned such extraordinary anomalies ought not to be revised. If measures were taken to reduce the rates permanently in certain districts, on a basis of population, he feared the effect would be to encourage an increase of inhabitants in places already too densely populated. If the rates were very much higher in one of two contiguous districts than in a neighbouring parish a poor man in search of a shop or lodging would naturally go to the latter. There were Islington and St. Pancras, for example. The rates in the former place under this Bill would be 4s. 9d., and in the latter 5s. 3d. He would venture to ask was it not certain

that a poor man would elect to reside in Islington, where the rates were lower? Supposing that the population of Islington were to increase largely; supposing, for the sake of illustration, that it should double itself, then, instead of £21,000 a year the parish would get a very much larger sum, probably about £80,000 a year, for the denser the population of a district became the more would they be given under this system. It must be recognised by all as a great evil that density of population should thus be encouraged. All these anomalies would aggravate themselves as time went on, and in each district would become greater, and the very fact of giving a premium to those dense districts would encourage the very evil so much deplored. It was not desirable that these densely populated places should become still more thickly inhabited. One of the great causes of difference in the rating was that one parish was poorer than another; but there were other things that affected the rates, such as bad management of one area as compared with the good management of another. Islington has been referred to, and the reason Islington had a lower rate as compared with other districts was partly because it had been excellently managed for many years, being properly looked after by the Vestry. Then as to the loss in collection the average was 6·6, but there were some of the Metropolitan districts where it was as low as 1·8, whilst in others it was as high as 15·8. The collection of the rate had a great deal to do with it. The most efficient system was a quarterly collection, and where that system was adopted the loss was considerably less than where the collection was made at longer intervals. He need not refer at any length to the question of efficiency, whether efficiency and economy would be found under this measure. They must remember that these parishes would have the handling of money that they did not feel the collection of, and everyone knew that money drawn from the Treasury or a common fund was not watched with that jealousy and care that money was that was drawn from the ratepayers themselves, and, therefore, there was great danger that these subventions in aid led to extravagance in the locality. The danger was that these funds that came from a concealed source would not be felt by the localities for some time,

and having the money in a lump sum it would look as if they were spending money they did not have to pay for, and before long the 6d. rate would have become a 1s. rate. He did not object to an increase of these rates if it was to do the good work of the district that was anticipated, as he thought they got more than the value of the rate by having an efficient sanitary system, very often it was an absolute economy, even for the very poor, to pay rates rather than run the risk of ill-health which a scarcity of rate often involved. The conclusion he came to was that, though they had in Islington an enormous bribe given by this Bill, the Bill did not give equalisation of rates, and did not do what they were all striving to do—namely, relieve those who ought to be relieved, and put an extra burden upon those who might well be required to pay a little more. He felt also that the Bill would tend to increase the density of the population. They had the case before their eyes of the abolition of the Coal Dues. At the time it was not popular to oppose the abolition, but at the present they were all agreed that it was a great mistake that was made. ["No, no!"] He did not suppose the hon. Member who came from the Forest of Dean desired them, as he had another interest, but the inhabitants of London did, and he was sure that if the London County Council could get them back without anyone knowing it they would get them very soon. It was the same with such a measure as this. For the moment it might be popular, but it would be found to work injustice and unfairness upon the localities. Before sitting down he would like to say what his own view of the matter was. He knew that some hon. Gentlemen thought it was only a political matter, but he did say that this measure might possibly be altered into a fairly reasonable one, and one way he could see to do that was to make some better arrangement for the raising of this fund. This extra sixpenny rate should be levied on those who were rated at the higher rate. He should not object to that if he had all the information before him, but they had not got that information. As he had said, he had tried to get it, and, personally, he should not object to what was a somewhat differential rate, as he thought there was a good deal to be said of

some such rate as that if fairly adjusted and properly extended. He was quite candid about that. He wanted to relieve the small struggling ratepayer. To his mind, no man paid more in taxation, both local and Imperial, than the small man who was trying to push himself up. This Bill relieved a few in some parts, but it did not relieve them in other parts, and if a small tradesman lived in what was thought to be a fashionable district he had a greater struggle to get on than those who lived in the poorer parts, and sometimes was not able to get on at all. But, as he had said, they had not the necessary information before them to do that. Hon. Members opposite knew he did not think much of the County Council; but he would infinitely rather leave the adjustment of this fund to the County Council, if the principle in which they were to distribute it were carefully defined in the Bill, than to the haphazard system proposed in the Bill. There would be objections, but he thought it possible that such a body as the County Council, which would work in the light of day, would carry out the system fairly, and that the fund worked on those lines would be better than the way proposed by the Bill. This was a matter in which he had taken great interest. The local burdens of the people were of far more importance than many of the so-called great political questions which were discussed in the House of Commons, and he had always made it his study to relieve those burdens as far as possible. Of course, the advantages of civilisation must be paid for, but the payment ought to be arranged in a fair way. The burden ought to be adjusted fairly on the shoulders of each person. He believed that this was an opportunity of equalising the rates in a fair manner, and he regretted very much that the Bill was drafted in the way it was.

\*Mr. BARROW (Southwark, Bermondsey) said, there were reasons that might justify his intervention in this Debate. In the first place, it was his honour and satisfaction to move the Resolution; in the second place, it was seldom he intruded on the House; and, in the third place, his own constituents were very much interested in this question. He had been listening to the hon. Member for Islington for the major part of his speech, and he had been wonder-

*Mr. Bartley*

ing with what object he had risen. He must confess that in the last few sentences they had rather a novel suggestion, and he thought they might dismiss all that went before as simply an essay. He was interested in hearing the arguments of the Member for the City of London who moved the Amendment. The hon. Member admitted that he was in favour of the equalisation of rates, but objected to this Bill because he said it was not an equalisation of rates. They must all admit that there was no reason to contend longer about that, as it was a patent fact; but it was undoubtedly an effort in the direction of equalisation, and if they could not get all they would wish they would be much remiss in their representative character to their constituents if they did not get as much as they could. The hon. Member for the City of London, while he honestly admitted he was favourable to the Bill, objected because it was not an Equalisation Bill, and called it a counting of noses instead of a consideration of needs. In the light of that figure of speech he wished to present the case for which he was claiming the attention of the House for a few minutes. The district of Bermondsey had been referred to frequently. A 1d. in the £1 in Bermondsey represented £1,750, whilst in St. George's, Hanover Square, it represented £7,674. The local charges for Bermondsey, in addition to the general charges, amounted to 4s. in the £1; in St. George's, Hanover Square, they came to 1s. 3d., and in St. James's they came to 1s. 0½d. If this question were to be dealt with according to local needs, he wished hon. Gentlemen to take notice of the facts. Under the Bill Bermondsey would get a rebate of something like £6,000, which would mean 3½d. in the £1 on rates at present amounting to 7s. 3d. in the £1., thus reducing the rate to 6s. 11½d. Did the Member for the City of London consider that this was still a case of need? Under the Bill the rate in St. James's, Westminster, would be increased 4d. in the £1, and that parish would then only be paying a rate of 4s. 4d. in the £1, against the reduced rate of 6s. 11½d. in Bermondsey. The hon. Member for Islington referred to Westminster, and wanted to establish another anomaly, as though they had not enough to deal with.

The hon. Member said that around this House there were many wealthy people, and there was a proportion of the squalid and poor population. They would grant him that as he thought it was generally the fact that the rich and the poor went together, but the question was one of proportion. Supposing Westminster were to exist as a rich district, without any squalor, it would pay less than the 4s. that it paid to-day. What they would like would be to discriminate to such an extent that the poor should be entirely relieved, and, perhaps the hon. Member would help them to do that in Committee. They had recently passed the principle of graduation in regard to the Death Duties on the basis that the rich should pay at a higher rate than the poor. But in regard to local taxation in London the basis seemed to be that the poorer the district the higher was the rate of taxation, for it was a fact that the poorer districts of London, which were really the industrial districts, were at present the most heavily rated of all. As long as things remained in this state they were not likely to have peace and contentment. The large leakage of 1s. 1d. in the £1 in Bermondsey to which reference had been made by the President of the Local Government Board showed the poverty and inability of the tenants in that district to pay their rates and rents, and a man who left his rates unpaid only aggravated the condition of his neighbours. The hon. Member for Marylebone placed the Bill under discussion on false grounds. He said it was a political move, but that had been absolutely answered by the hon. Member for Islington, who sat on the same side of the House with the hon. Member. The hon. Member for Islington would not have this as a political movement at all, and why he made his speech, considering that he represented the most favoured district of London, he (Mr. Barrow) could not understand, because the rates of his constituents would be reduced to 4s. 9d. in the £1. The right hon. Gentleman the Member for the London University (Sir J. Lubbock) referred to the City of London contributing half-a-million of money to relief objects generally. If they had not got the money they could not contribute it. But what remained behind? After all their deeds



of charity they were taxed at only 4s. 10d. in the £1, and that represented the wealth of the City of London. A point was made by the Member for the City that a proposal to tax the City on a night population was very unfair. ["Hear, hear!"] Very well; let them examine that question. He could not follow the hon. Member's figures, but he made a statement something like this: that there were about 37,000 night residents, and between 300,000 and 400,000 persons visited the city during the day, and he therefore claimed a relief per head on the day population. But these people did not live there except in the sense that they went there to labour and went back to Bermondsey by shoals to rest and sleep. These people in Bermondsey, if this Bill passed, would get the relief at the rate of 3½d. in the £1; but if the view of the hon. Member were carried out, they would get it twice. London was crowded throughout the day by those who lived outside and who were entitled to claim some relief from their heavy taxation, but what claim had the merchants of London to any relief of this kind? It was true that merchants did not sleep in London; when they shut up their warehouses, their banks, or their offices they went out of their front doors whilst the *employés* went out at the back door, but let the House mark that those who went out at the back door were paying 7s. in the £1, whilst those who went out of the front door were paying 4s. 10d. What was wanted was that the people should get the relief in the district in which they lived and paid their rates. That, he thought, was an answer to the hon. Member for Dulwich (Sir J. Blundell Maple), who interjected a question to the right hon. Gentleman when he spoke about the cost of the roads. The question ought to have been answered by the right hon. Gentleman, but he presumed the right hon. Gentleman did not at the time fully appreciate its importance. The hon. Member wanted to know whether the difference in the cost of roads in St. George's, Hanover Square, where it was £850 per mile, and Bermondsey, where it was £311 per mile, arose from the extra width of the roads in St. George's.

SIR J. BLUNDELL MAPLE: Whether it was lineal or square mile.

*Mr. Barrow*

MR. BARROW said, he would answer the question; it was a mile in length. St. George's had these fine wide roads which cost £850 per mile, at a charge of 4½d. in the £1 on the rates, whereas the cost of the roads in Bermondsey was a charge on their resources of 5½d. in the £1.

SIR J. BLUNDELL MAPLE said, the hon. Member did not understand on what his remarks were based. The right hon. Gentleman was saying there was a great deal of extravagance in the making of roads in St. George's as compared with the East End, and he (Sir J. Blundell Maple) pointed out that the roads being so much wider in St. George's there was not that extravagance that was supposed.

\*MR. BARROW said, that admitting that St. George's could have better roads at a less cost, he thought that the inequalities of rating were thoroughly established. But one subject not yet touched upon was the principle of assessment. There was room for reformation there. It had been hinted at by the right hon. Gentleman that in poor districts it was necessary for the valuers to put the highest possible value they could on the property so as not to make the rating conspicuously high or higher than other districts. They ought to have one common rating body, one body who would assess the property in common for a general purpose. He was glad the hon. Member for Islington had announced himself as a friend of the London County Council to the extent of advocating that the management of the Bill should be placed in their hands.

MR. BARTLEY: I did not say that at all. I said another scheme; not that in this Bill.

\*MR. BARROW said, the hon. Member did suggest such a theory to their mind. He hoped they should see one common Governing Body, thoroughly equipped with all the machinery necessary for the government of London, and then they would have this matter adjusted on equitable lines.

MR. BANBURY (Camberwell, Peckham) said, the hon. Member had indicated that he could not understand the Member for a district like Islington, which re-

ceived the largest sum under this Bill, opposing this Bill. He (Mr. Banbury) was in the same position as the hon. Member for Islington (Mr. Bartley). He represented the district which received the second largest sum under the Bill, and he was going to oppose it. He and his hon. Friend did not regulate their conduct by the amount of the money they were going to receive, but by asking themselves whether a Bill was just and fair to everybody in the country. The President of the Local Government Board in introducing this measure said it had been lately the aim and desire of everybody that London should be treated as a whole, and that the responsible government of London should be spread over the inhabitants in London. He quite agreed, and if the right hon. Gentleman had said the expenses of the Sanitary Authorities should be borne by a central authority, a rate being levied over the whole of London, by which everybody in London should pay the expense of that central authority, he should have considered the right hon. Gentleman had brought in a good Bill, and one which deserved the support of every Member of the House. They had at present three funds which had that object—namely, the Police Fund, the Common Poor Law Fund, and the School Board Fund. The Police and School Board Funds were both managed by one central authority, and the expenditure of the Poor Law Fund was controlled also by one central authority, the chief object, he supposed, being that those people who paid the money should have some control over the expenditure. It could not be denied that these were three very good objects, and he considered the right hon. Gentleman should have proceeded on the same lines. He could not altogether approve the line of action of the London County Council, but, after all, they had created the County Council as the central authority of London, and if, as he contended, it was necessary that everybody in London should bear a fair share of the expenses of the Sanitary Authority, why was not the Sanitary Authority to be entirely in the hands of the County Council with a rate levied over the whole of the Metropolis? Though he was afraid the County Council would be rather extravagant if

further powers were put into their hands, he thought it would be better to put the matter on that basis rather than that the basis of population should be taken. With regard to the City of London, the hon. Member opposite had said something as to the merchants going out at the front door and the clerks at the back. He did not think that was very *à propos* to the question, but he would just say that he had been for a good many years in the City of London, and he had never observed any such custom. He always found that both merchants and clerks went out at the same door. The Member for Bermondsey stated that if the Bill was not based on population, the City people would be relieved twice over, because these people who paid rates in the City of London might be relieved, and then when they went to their places of residence in Bermondsey they would be relieved afterwards. The people who lived in Bermondsey were those employed by the people who paid the rates in the City of London. The merchants paid the rates, which were added to in the City, and when they went to the place where they lived they found the rates were added to these also, so that they paid twice over. The right hon. Gentleman alluded to the case of St. Luke's, which he said was not to be treated with great consideration because at one time its Local Authorities made a bad debt. But if the population of St. Luke's increased, the right hon. Gentleman's argument disappeared, and they would be benefited notwithstanding that they made a bad debt some years ago. Certain statements had been made as to the effect of economy in this matter. He thought it must be admitted by everybody that if they handed over money to certain people with authority to spend it and they had not to put their hands into their own pockets to provide this money, human nature being what it was, in all probability they would not encourage economy but extravagance. In the district of South London which he represented, and in the neighbouring district of Lambeth, there was no doubt a very high rate in the £1. There had been, certainly in Lambeth, a considerable amount of extravagance. They wanted to go in for a system of electric lighting, which, he believed, they had now given up. But

under this Bill was it not likely they would resuscitate that scheme, and the money which the ratepayers thought was going to be put into their pockets would be spent in providing the electric light, and things of that sort? The Vestry would say, "We are not going to increase the rates of the people in the district. We are going to spend the money which comes from somebody who has no control over us. We will spend it on some of the numerous fads we have taken up, and the people cannot complain, because they will receive the benefit accruing from the expenditure, and will have nothing further to pay." It was possible that the people of Camberwell, if the Bill passed in its present shape, might find their streets were better kept and that they were furnished with electric lighting, but they would not have what they hoped to find and what they most desired—namely, a reduction in the rates of the parish. One other point which ought not to be left out of consideration was the effect of the rateable value. In St. George's, Hanover Square, a rate of 1d. in the £1 was sufficient to provide the sum of £850 per mile for roads, whereas in some other parish a rate very much higher in the £1 would only provide a much smaller sum. That was because the rateable value of the one district was very much higher than the other, and they would never alter that rateable value and equalise the rates unless they established one central administrative authority over the whole of London which was enabled to levy a rate over the whole of London. Assuming that a boundary were fixed to the limits of the Metropolis, he believed it would be better from this point of view that all London should be administered by one authority; but of course that would involve the destruction of all local municipal life, which, he had always understood, it was the desire of the Liberal Party to preserve. On the other hand, if they desired to carry out the equalisation of rates and to make every district pay exactly the same amount in the £1, he could not see how it was to be done unless all local administration were controlled by one central authority. The Bill had been so badly drawn that he was afraid it could not be satisfactorily

*Mr. Banbury*

altered in Committee. He certainly thought that such an equalisation of Sanitary Authorities over the whole of London would be advantageous, and ought to be carried out. This Bill, however, would not effect such a desirable change, and, unless it were considerably amended in Committee, notwithstanding that his constituents received considerable benefit from it, he should be obliged to oppose it, because in the long run he believed the people would not receive what they had been led to believe they would receive, and because it was an unjust and inequitable measure. The President of the Local Government Board said that the main object of this Bill was to make the City of London pay. That seemed to him a most extraordinary admission to come from the Government Bench. It appeared to be another departure into Oriental finance.

THE SECRETARY TO THE LOCAL GOVERNMENT BOARD (Sir W. FOSTER, Derby, Ilkeston): The right hon. Gentleman said nothing of the kind. He did not say that the main object was to make the City of London pay.

Several hon. MEMBERS: He did.

SIR W. FOSTER: In a jocular mood he referred to that as one of the results of the Bill. It is not right in my right hon. Friend's absence to accuse him of a statement he did not make.

Mr. BARTLEY mentioned that he took the words down at the moment, and the right hon. Gentleman said that this was the very object of the Bill.

Mr. PANBURY said, he asked his hon. Friend to take down the words at the moment, because they struck him as so remarkable. This, therefore, was another departure into Oriental finance, worthy of the headman of a village of Morocco, who looked round and saw some villagers who had got some money and thereupon said, "We want some money for taxes, let us have yours." As far as he was aware, no House of Commons in England had ever carried out taxation on such a principle. The object of taxation had been to find out how a tax could be imposed which would not press unduly upon anybody. The question of the night population appeared

to be very strong. The rateable value of the City was so high, not from the caretakers, porters, and shop-boys who formed the night population of the City, but from the efforts of the people who during the day occupied their places there, spent the best hours of their lives there, but slept elsewhere. It was from their labours that the very wealth of the City which the right hon. Gentleman was going to tax was created, and yet these were the very people who would be excluded from any benefit that might be conferred by the measure. Another remarkable argument was based upon the case of North and South Kensington. Because the rich people in South Kensington already paid for the poor people in North Kensington, therefore it was said they were to pay still more for the poor people in some other place. He regretted that the Government, having the opportunity, had not brought in a Bill which would have equalised rates in a just and equitable manner, instead of bringing in a Bill which was not just and which did not equalise the rates.

\*MR. LOUGH said, the principle adopted in every other city was that every £1's worth of property should contribute equally towards any municipal taxes of the city. That was a principle which was very unequally adopted in London, and the object of the Bill was to secure a more equal system. This proposal of equalisation had been adopted to a certain extent in London already, as in the case of the Common Poor Fund and the School Board rate, and so far all parties were agreed that its operation had been good. He believed Parliament would be justified in going a step further in the same direction. He represented part of the parish of Islington, to which so much allusion had been made. His hon. Friend on the other side had given his views on this matter, and nearly every speaker appeared to admit there was something anomalous with regard to Islington. If the principle were examined more closely, however, it would be found to operate with perfect fairness in the case of Islington, whilst it did no injustice to anybody. The true test of wealth or poverty was the average rateable value per head of the popula-

tion of a parish. It would be found that every parish which paid under this Bill had an average rateable value per head of £7 8s. or upwards, and every parish which received had an average rateable value under that figure. If it was found that the Bill operated in the way he had said nobody could contend that it was not a fair Bill. There had been a little contradiction about the amount of the rate in Islington, and to put the matter right he would mention that the Vestry of that parish sent a Petition to the House of Commons in which they stated that the rates had

"been steadily increasing for seven years from 4s. 1d. in the £1 to 5s. 6d. in the £1, and would doubtless be much higher but for the fact that the several properties in the parish are assessed at their full value. The parish is essentially a residential one, and the greater part of the population consists of clerks, artisans, and labourers."

They thus saw that in Islington the rates had been steadily rising for the last eight years from 4s. 1d. to 5s. 6d., which was the amount at which they stood this year. If the Bill had passed last year the rates would only have been 5s. 3d. It was admitted that the parish of Islington was well and economically managed, and the reason for the increase of the rates was because the Local Authorities had tried to give their inhabitants the benefit of recent sanitary legislation. Again, it was said that because Islington under the Common Poor Fund had to pay £12,000 a year the Bill must be unfair under which they received £20,000. Could any argument be more foolish? This showed the absolute fairness of the measure. Under one principle of equalisation Islington had to contribute something, and surely under the next system it was fair she should receive something. The principle of the last Equalisation Bill was that a certain allowance should be made to each parish in proportion to the number of indoor paupers. Islington had preferred to try another system, to a large extent, than that of keeping paupers in the workhouse, and the parish gave a large amount of outdoor relief, and consequently got a small sum under the Bill to which he referred. That was an important matter to take into account. He said that no point was made against

Islington, and no point was made against the Bill. The hon. Member for Marylebone asked, why should Marylebone pay and Islington receive? Marylebone must pay because the average rateable value per head of the population in Marylebone was £10 13s. 10d., and Islington must receive because the average rateable value per head in Islington was £5 5s. 10d.; and so all these puzzles which had been put by hon. Members opposite would be easily answered if they adopted that simple principle. He would point out further that the rate in Islington, if the Bill passed, would be 5s. 3d., and not 4s. 9d., as stated by the hon. Member opposite, and 5s. 3d. would be the average rate all over the Metropolitan area if the rates were equalised. What, he asked, was the basis on which the Bill rested? It was that the rate should be collected on property, and that it should be distributed according to population. Could a single word be said against that principle? What was going to pay rates but property, and what were the circumstances under which the rates would be wanted but the demands of an abounding population? The hon. Member for North Islington, in that casual way in which he usually addressed the House at great length, mentioned the Minories as a poor parish. Why, the average value of property per head of the population in the Minories was £27, or five times as much as it was in Islington. The hon. Member also instanced the case of Wapping. The average value per head in Wapping was £25, as against £5 in Islington. If they took the rule he laid down, everyone would see that the Bill was perfectly sound. Were not the rates at present levied on property? He could not see how they could adopt any other way of raising this new rate except that of levying it equally on property wherever it might be found. The hon. Member for Marylebone stated that the Bill—instead of being an honest Bill and a perfectly fair Bill, and just in its application to every parish in London—was a Bill by which the Government hoped to gerrymander the constituencies. How could the Government achieve that object under the Bill? In the City a very heavy rate was levied, and the City returned Members opposed to the Govern-

ment. In Islington a large amount of money was paid, and Islington returned three Members opposed to the Government. Were the Government going to bribe constituencies, by the mode of distributing the rate, to send their supporters to the House of Commons? But the Bill distributed the rate fairly and equally amongst all parishes, and there could be no ground for such a charge. The parishes which would receive the greatest benefit under the Bill sent as many Conservative as Liberals to the House; and when the Division came a good many Conservatives would be found in the Lobby in support of the Bill. Every speaker against the Bill had said he was in favour of its principle. He had only been in the House about two years, and he always found that when a measure was going to be opposed in the hottest way hon. Gentlemen opposite said they were in favour of its principle. It appeared to him that the chief distinction between Conservatives and Liberals was not really principle, for they were both agreed as to principle, but the difference lay in this—that the Conservatives were not willing to put their principles into practice, while the Liberals were. He appealed to hon. Members on the other side who represented London constituencies to try to depart on this occasion from the traditions of their Party, and to give the Bill a fair consideration. The only point that had been made against the Bill was that it would diminish local control, and therefore tend to extravagance in the localities. But the Bill only dealt with one-fourth of the rates throughout London. There would still be rates levied in the district to the amount of 1s. 6d. in the £1 on the average—in some cases it would be 3s., and in others 1s. in the £1—and he thought, therefore, that the disposition of the localities to keep down the rates might safely be trusted.

\*MR. WHITMORE (Chelsea) said, the opponents of the Bill must have noticed with some satisfaction the admission made by the hon. Member for Bermondsey that this was not in reality an equalisation Bill. The hon. Member had said that this was merely an effort in that direction. Well, in the opinion of those

*Mr. Lough*



who did not approve of the measure, it was, if an effort in that direction, an unsuccessful and ineffective effort. Having listened to the speeches made in the course of the evening by the supporters of the Bill, he must say it was unnecessary for the opponents to dwell any further upon the fiscal inequalities which the Bill would produce, as it was useless for the supporters to pretend that the fiscal results would be anything like a just equalisation of rates throughout the parishes in London. That was perfectly obvious. It was not disputed that this Bill, while it might destroy certain anomalies and inequalities, would produce others. But he did not wish to dwell on the fiscal operation of the Bill. He had put down upon the Paper an Amendment which he did not propose to move, because he thought it would, perhaps, be better that all who disliked the measure should state their objections on a direct negative to the Second Reading. At the same time, he would not withdraw any of the considerations and arguments he had in his mind when he put the Amendment on the Paper. He would now state what he conceived to be the real objections to the Bill, apart from the fiscal objection. In the first place, he did not think it could be denied that the Bill, if it came into law, would lead to extravagant and inefficient local administration. How could they expect that any representative Local Authority would be careful and economical in its local administration when it did not matter in the least whether it was so or not? Why should a Vestry, which was going to have a fixed sum allotted to it by the capricious operation of the Bill, care whether it was economical or extravagant—whether it simply spent the ratepayers' money on what was absolutely required by the necessities of the locality, or whether it spent up to the hilt the money that would be doled out to it in future? The temptation would be too great to the best body of administrators in the world. They would not be able to resist the temptation of lavishing money on works which probably were not required, knowing that the money would not come out of the pockets of their constituents. Did the right hon. Gentleman who introduced the Bill really think that it was a judicious thing to give to the Local Authori-

ties in London or any other great town in the country that kind of capacity for reckless and extravagant expenditure? He should have thought not. Now let him come to the second objection. Without doubt, one of the tendencies of the Bill would be to make it more difficult for poor people to go on living in comparatively rich districts of London. At the present time it was still possible for poor working men to go on living near their work in Kensington, in Westminster, in all the central districts of the Metropolis. Why was that? For one reason, owing to the light assessment for rates, rents were comparatively low, and they could afford to pay those rates. It was convenient for those poor people to live near their work, and it was most important, politically and socially, that they should be enabled to live in the central parts and in comparatively wealthy districts. He did not see how the right hon. Gentleman (Mr. Shaw-Lefevre) could doubt that one of the effects of the Bill would be to make it more difficult for poor people to go on living in these rich and central portions of London. And what would be the effect of that? He would not dwell on the evil so clearly pointed out by the hon. Member for Islington—that it would lead to overcrowding in already congested districts. He rather thought the hon. Member for Battersea would agree with him when he asserted it was a good thing there should not be a rigid geographical distinction in London between rich and poor quarters, and that in the central districts there should be an intermixture of all classes of society. To drive the poor to the suburbs or the outskirts of the Metropolis would be to aggravate the present social difficulties with which they had to deal in London, and which they would all desire not to see accentuated. And how could the President of the Local Government Board and those who supported the Bill doubt that that would be the result more or less directly? Beyond this, he wished to go rather on the lines of the Amendment he had placed upon the Paper. It was impossible, he thought, to deal with this very difficult question except as a portion of the reconstruction of the whole system of local government in London. He was afraid that here again the Go-

vernment were attempting to deal in a very piecemeal fashion with the local government of London. He certainly was not saying this in any Party spirit, because he was sure it was too much the tendency of statesmen of both Parties to try to get London Bills quickly through Parliament. Here, again, was another attempt to raise questions which ought to be dealt with calmly and deliberately and not in a perfunctory and casual way. The London County Council, though favourable to the Bill, in a memorandum prepared on the occasion of a deputation waiting upon the President of the Local Government Board had damned the Bill by its criticism, and had declared that it was "not a final solution of the question, but an endeavour to meet provisionally some of the hardships caused by the localities having to bear the whole of their municipal expenditure." This Memorandum also declared—"It is perfectly true that the proper basis of a true system of equalisation should be the charge for the services to be equalised," but that this could not be arrived at "in the absence of a central control," and "until it has been determined what relation the District Council shall bear to the County Council." He appealed to the House whether that did not bear out his contention that they could not touch this question of the equalisation of rates without raising the whole question of local government in London, and that it was a waste of time at this period of the Session to ask the House to discuss the provisions of a Bill which, in the opinion of those who were more or less its authors, was but a provisional measure, and not in any sense final? He put it to the right hon. Gentleman and his followers, do let them, as Londoners, take rather a larger view of this question than they were apt to do. He admitted that it was incumbent upon those of them who criticised the Bill, and thought it was a bad one, which did not carry out its objects, to sketch out their views of the extent to which equalisation should go in London. For his own part, as regarded sanitary administration, he thought there should be one uniform rate throughout London. He could not see how it could be contended that the interests of the wealthy west were different in that matter from the interests of the poor east and south. To

that extent they should regard the whole Metropolis as one area. But he did not see why the principle should be indefinitely extended to subjects which were not of general concern to the whole of the population of the Metropolis. Matters which affected the comfort of certain districts only, such as electric lighting, ought to be decided by the view of the local ratepayers, and the expenses should be borne entirely by them. But he quite agreed that in other matters, such as health, there ought to be one common fund and a central authority, but that central authority must have the control over the expenditure. He could not understand how any democrat in the House could support the absolutely casual system proposed to be set up by the Bill. How, for instance, could the hon. Member for Battersea think it right that a Local Authority should have money coming in for certain work whether it was necessary that that work should be done or not? The hon. Member must know that it would be a right thing for some central authority to have a check and control in the matter. While he thought that in most matters the District Councils or the Municipal Councils of the future should have the sole control of the expenditure, he admitted that there were other matters that must be dealt with by a central authority and paid for out of a common fund, and in respect of which the central authority should have power to control the expenditure. But such control was absent from the provisions of the Bill. As to the general London question, when the Act of 1888 was before the House the Unionist Members were very modest. Many of them were newly elected and had had very little practical experience in London local administration, and the Local Government measure, as a result, had passed without much thought. And he doubted whether they quite appreciated how this particular Bill, which pretended to deal only with rating, vitally affected the future destinies of London with regard to local government. They should not forget that they might be doing things now which would bind the future government of London. The government of London was such an important problem that everyone ought to

*Mr. Whitmore*



try to take the most anxious care in its treatment. They should remember that in voting on this Bill it was not merely a Bill dealing with rates, but that it touched all the big problems as to how this great population of nearly 5,000,000 should be governed in the future. He was afraid that if the Bill were passed in its present shape it would make everything like decentralisation impossible. At any rate, it went dead against it. What was the scheme of the Local Government Act of 1888, to which all parties were assenting in theory? It was that there should be one popular central body in the county. It was also proposed in the Bill that there should be District Councils established, popularly elected, dignified bodies with large powers. That portion of the Bill was not carried out, although Members on both sides of the House were in favour of it. In 1889 the right hon. Gentleman the Member for Halifax moved an Amendment to the Address in reply to the Queen's Speech on the ground that there was no mention in the Speech of a measure for District Councils, not only in the counties but also in London. Every Gladstonian Member joined the right hon. Gentleman on that occasion in condemning the Government of the day for not proceeding with that legislation. They argued that the system of Local Government in London was incomplete without these trained bodies of skilled administrators in the districts—dignified bodies that would attract to themselves all that was best amongst the public men of the district. That was some years ago. Nothing had been done, but the argument remained good; and what he was afraid of was this—that by this Bill the interest in the increasing growth of the responsibility of Local Authorities in London would diminish, and that they would be condemned to inutility and be unattractive to men of position. Let them give up the hypocritical pretence of being in favour of dignified Local Authorities if they passed this Bill. If they were in favour of those authorities they could not be in favour of this Bill. If carried it would discourage efficient local administration, and even drive out of the existing local bodies the best of the men who now served on them. He hoped he had not been presumptuous

in what he had said, but he deeply and honestly felt the importance of every measure such as this, which touched the question of London local government. He, at any rate, would oppose the Bill to the best of his ability, because he thought that it lightly and foolishly raised questions of London government which it made no attempt to settle, and because if carried it would prevent anything like a satisfactory, complete, and logical measure decentralising the administration of London in the future.

MR. PICKERSGILL (Bethnal Green, S.W.) said, the right hon. Gentleman the Member for London University had especially referred to Bethnal Green in connection with the question of compounding. He would ask, Why did the practice of compounding obtain in that parish as well as in other districts? The answer was simply that it would be impossible to collect the rates directly. He did not know when the right hon. Baronet had imbibed the heresy of Lord Salisbury, who desired that the rates should be collected directly from each householder, but they did know that the plan had been tried. The experiment was made immediately after the passing of Mr. Disraeli's Reform Bill of 1867, and it proved a disastrous failure. The fact was that the commission allowed to owners of property was in the nature of a charge for rate collection. He would not at that moment go into the question whether or not it was excessive; if it were, by all means let it be adjusted, but they must not ignore services which the compounder rendered. Let them not blame a poor district for a practice which its own unfortunate condition necessarily imposed upon it. The hon. Member for Islington had used an argument against the Bill which, while it was plausible, was not very candid, and it had been urged by a higher authority, the right hon. Gentleman the Member for St. George's, Hanover Square. It was that the Bill would add to the rates of poor persons living in rich districts. Now, that was an objection not to the particular plan proposed by the Bill, but to equalisation altogether. No one denied that poor people lived in rich districts. The rates would certainly be raised in some of those districts, such, for example, as

that of St. George's, Hanover Square, but he denied that the few poor ratepayers that lived in those fashionable quarters would have just cause to complain that the Bill, while conferring a benefit on their brethren who lived in Bethnal Green for instance, would have the effect of increasing their own rates. The rates now paid by them were considerably below the average; equalisation would necessitate raising them, but the poorer residents in St. George's had no greater claim on their sympathy than had the poor ratepayers of Bethnal Green. He thought that that fact was an argument that could be used in favour of the principle of gradation being applied to rates, and he was surprised that the Member for North Islington, who had made the suggestion that gradation could be well applied in the present instance, did not support that principle in relation to the Finance Bill. He supposed the hon. Member put the suggestion forward in good faith.

MR. BARTLEY: I did, and I also explained that the reason I did not dilate upon it at greater length was that I had not with me the particulars I wished to quote in support of it. I also said I would support any reasonable proposal of that sort.

MR. PICKERSGILL: Then why did not the hon. Member support the principle in regard to the Finance Bill?

MR. BARTLEY: I did.

MR. PICKERSGILL said, the right hon. Member for St. George's, who adopted the same argument, certainly was not in favour of the principle of gradation, and the objection in his case would apply to any scheme of equalisation which could be produced. The hon. Member for Peckham said that all sanitary purposes should be under the direct control of a Central Authority. Had the hon. Member considered how far that would carry them? He would find, when he came to subtract from the present functions discharged by Local Authorities all which had any connection with sanitary measures, the work left to be done by the Local Authorities would be very small indeed. Therefore, the hon. Member's argument was one in favour of centralisation, and centralisa-

*Mr. Pickersgill*

tion in excess. The hon. Member for Marylebone had assured the House that in some districts the Bill would give rise to the greatest dissatisfaction. No doubt that would be the case in the City and in the district of St. George's, because it was a common experience that people who, up to the present, had not contributed their fair share did not receive with any too much favour a measure that would compel them in future to do so. The hon. Member stated that the proper test for estimating what proportion of the central grant should be applied to each particular district was not the basis of population as proposed by the Bill, but a comparison of the number of indoor poor in the different Unions respectively. That, he submitted, would not be a safe test to apply at all. He noted particularly that the hon. Member, when he made that statement, did not apply it to the City of London. If he had done so the result would have been that the City would have come out as the poorest of all. Of course, a principle which landed them in such a *reductio ad absurdum* could not be entertained for one moment. The proposed basis upon which the calculation was to be made might be open to comment, but he ventured to say that far more grotesque and anomalous absurdities would arise under any of the other methods that had been proposed. Throughout the Debate he had been interested to note how curiously it followed the line of arguments adopted by hon. Members when the Metropolitan Relief Acts of 1867 and 1870 were being discussed. Even the right hon. Gentleman the President of the Local Government Board practically based his whole case on quotations from speeches delivered by the right hon. Gentleman the Member for St. George's on that occasion, and the objections to the present Bill ran on precisely parallel lines with those raised in 1867 and 1870. One of the objections taken was that it would lead to extravagance on the part of the Local Authorities. He did not believe it would. They had the same safeguard against that as was provided by the right hon. Gentleman the Member for St. George's in his Bill in 1870, when he said he proposed to place the charges for indoor pauperism on the common fund, less a margin which



would act as a stimulus to the Guardians in the direction of economic administration. He maintained that the objection brought forward by the hon. Member for Chelsea that a fair margin for necessary local expenditure had not been allowed for was unfounded. Complaint had been made that only £850,000 was to be raised under the Bill, whereas the total expenditure in London on sanitation was at least £1,250,000. But let them look at the matter in detail. The highest grant under the Bill was 8½d., whereas the lowest lighting and general rate, which practically represented the purposes on which the grant was to be expended, was 11½d. Islington would receive under the Bill £21,000, and an hon. Member asked what in the world it could do with the money, without launching into extravagant expenditure. But the £21,000 was only equivalent to a three-penny rate, and inasmuch as the lighting and general rate was 1s. 3d. in the £1, there was a most ample margin for necessary local expenditure. Again, it had been urged that the Bill provided no check or control over the Local Authority, but the right hon. Gentleman the Member for St. George's had forgotten the provisions of the Public Health Act, 1891, which gave power to the Central Authority to see that necessary work was carried out, and in the event of the Local Authority failing to do what was required authorised the Central Authority not only to have the work done, but to recover the cost of the same from the Local Authority. The hon. Member for North Islington had suggested that some such powers should be conferred on the London County Council in this case; and while he sympathised with the suggestion he confessed he was surprised to hear it from one who had hitherto so consistently opposed the London County Council and all its works. At any rate, the Bill might be modelled on the same lines as the Metropolitan Common Poor Fund Act of 1870, which provided that a Board of Guardians which failed to perform its duty in certain respects might be punished by the loss of its grant from the Common Poor Fund. Speaking for himself, he might say he would be willing that a clause should be inserted in the Bill providing that a Sanitary Authority

in default within the meaning of the Public Health Act, 1891, might be mulcted in the whole or in part of the grant to which it might be entitled. The urgent necessity of the case now with regard to sanitary administration was similar to that which Mr. Gathorne-Hardy in 1867 and the right hon. Member for St. George's, Hanover Square, in 1870 had to face with regard to Poor Law Administration. In 1867 and in 1870 it was imperative to raise the standard of Poor Law Administration; now it was imperative to raise the standard of sanitary administration, and the condition precedent was to give financial relief to the overburdened districts of London. The general health of London was the common interest of the community, for although epidemics were most likely to crop up in the squalid and overcrowded districts, everyone knew that the mischief did not stop there, and it was, therefore, the interest of every citizen that London should be made healthy. That was the principle of the Bill. He trusted that the effect of this Bill on the sanitary administration of London would be as immediate and as beneficent as was the effect of the Acts of 1867 and 1870 on the administration of the Poor Law, and for one of which the late Chancellor of the Exchequer was responsible. He therefore appealed to the right hon. Gentleman by the experience gained from the working of that great Act, which reflected so much credit and honour on him, not to recede from the principles which he put before the House in 1870, but to give a candid and loyal support to the Bill of the Government.

MR. W. F. D. SMITH (Strand, Westminster) said, that as this Bill very largely affected his constituency, he wished to explain his position in regard to it. The principle of equalisation had been and was recognised at the present day. He did not consider himself bound, however, to vote for a Bill embodying that principle which by its methods caused great unfairness to many parishes in London. As far as the sanitary rate was concerned, he should be inclined to agree with the last speaker; but this Bill contained an extension of the principle, and, in his opinion, increased the anomalies which already existed, while

it created fresh anomalies. The lighting and paving of streets did not come within the same category, and the constituency which he represented incurred very heavy expenditure, in those departments of local administration. The average rate per head in the Strand district was £13 a year, and property on the whole was assessed exceedingly high. The population in the Strand district was very much in the same position as in the City of London—that was to say, there was a large day population and a comparatively small night population. But the expenses for sanitation, paving, and lighting were incurred as much in the interests of the day population as of the night population. The rate of the Strand District Board was 4d. or 4½d. higher than the rate of Islington. He did not think that the poor districts of the Metropolis could be judged by their population, because rates in the poorer districts of London were paid to a large extent by the landlords and not by the occupiers. The right hon. Gentleman the Member for the University of London had told them that there were 200,000 tenements the owners of which compounded for their rates. No doubt, as the hon. Member for Bethnal Green had said, it was a very convenient practice; but it was a curious fact that in the districts in which the power was not exercised the leakage of rates had been very much smaller. He must allude to one or two instances in respect of the way in which the Bill affected the Strand. The rate was 5s. 6½d., and there was a payment of £8,914 to the Equalisation Fund, and in the Strand there was the parish of St. Clement Dane, which paid £3,417 to the Equalisation Fund. The average rate of the Strand Board would be raised to 5s. 10d. under the Bill—a rate which was, at the least, 4d. higher than that which had that night been mentioned in regard to Islington. At the same time, the Strand Board had to incur large expenses for lighting and paving. He thought he should be able to show that those parishes which most needed relief would get no relief under this Bill. He had gone into the figures to some extent, and he found there were, under the measure, 10 parishes which received more than a half of the whole Equalisa-

*Mr. W. F. D. Smith*

tion Fund. It might be supposed that these parishes were those that most wanted help, but it was a curious thing that these 10 parishes had a rate below the average rate of London. With an average rate of 5s. 8d. they would receive £122,000, while 26 parishes, with an average rate of 6s. 6½d., would only receive £101,000. He did not think that there would be any check on the expenditure of the money put to the credit of each parish. These aids would have very small effect upon the rates, which would remain much as they were, the money being spent on what was not absolutely necessary. The constituency which he represented had not been treated fairly. It had a rate as high as many of the parishes receiving help under the Bill, and it would have a rate equal to the average. He objected to the population basis, because it did not in all cases give a fair idea of the poverty or richness of the various parishes. Many anomalies would remain under the Bill, and other new ones would be created. Those parishes which most required help would not receive it. The Bill did not carry out the object for which it was designed, and it would not promote the cause of Local Government.

MR. BENN said, the hon. Gentleman who had just sat down said that those parishes which most required it did not receive any help under this Bill. He had made a list on the one side of all the paying parishes under the Bill, and on the other side of all the receiving parishes. The average rate of the paying parishes was 5s. 6d. in the £1, and of the receiving parishes 6s. 3d. in the £1. In the face of those figures he could not understand the contention of the hon. Member for the Strand that the parishes most needing help would not get it.

MR. W. LONG: Is the hon. Gentleman quoting from his own figures or from some Return?

MR. BENN: These figures are easily arrived at. I have taken the 14 paying parishes and the 22 receiving parishes and struck the average of their rates.

MR. W. F. D. SMITH: I do not think the hon. Gentleman understands my contention. What I mean is that of

the parishes which get help those which are least highly rated receive the most, and those which are most highly rated receive the least.

MR. BENN said, that that was no attack on the Bill; because it was perfectly clear that the Bill at least approached equalisation. The hon. Member for Chelsea had quoted from a document issued by the London County Council. He refrained, however, from quoting one important observation, which was to the effect that the objections stated to the Bill would apply to any system of equalisation which could be devised, and that the needs of a locality were roughly proportionate to its residential population. He took the four districts which would pay most under the Bill—St. George's, Hanover Square, St. James's, Westminster, Marylebone, and the City; and he found that between 1881 and 1891 these districts had pushed out 40,000 of their population. That meant that these highly-favoured districts had succeeded in getting rid of their slums, and now they declined to pay for the convenience.

MR. GOSCHEN: Will the hon. Gentleman give the numbers for each district?

MR. BENN: Yes. In the constituency of the right hon. Gentleman—St. George's, Hanover Square—there have been pushed out 11,000 in 10 years; St. James's, Westminster, 5,000; Marylebone, 12,000; and the City, 13,000. The hon. Gentleman, continuing, said he thought it likely that something would be said in the course of the Debate about the unfairness done to the City by merely regarding its night population. He had, therefore, gone to the electoral register of the first 11 wards in the City and traced the double addresses of those who lived outside the City. Out of 2,000 electors only 170 were found to reside in the City. What, then, became of the rest? Of the rest, no less than two-thirds lived in the County of London, and in parishes which would get relief under the Bill. He thought that was a significant fact, and one that deprived the City of a great deal of its grievance. Again, in one parish of the Strand district, out of 59 persons living outside the parish 46 resided in parishes which

would get relief under the Bill. The attack on the Bill had been mainly founded on its anomalies; but he had listened in vain for the details of any scheme which was more free from anomalies. There was the alternative of taking the actual expenditure as a basis. But by that scheme the same parishes which received under the Bill would only receive more, and the paying parishes would consequently pay more. St. George's, Hanover Square, for instance, would then pay 9½d. in the £1 instead of 4d. There was another suggestion which had fallen from some speaker, which was that the money should be divided according to services rendered. Under the four heads mentioned in the Bill—sanitation, paving, lighting, and roads—he found that the paying parishes spent 14s. per head of the population per annum, and the receiving parishes only 5s. Therefore, those parishes that now spent 14s. on sanitation would have to assist those poorer districts which could only afford to spend 5s. for that purpose.

MR. R. G. WEBSTER: Is the hon. Member now referring to works done for the public good, or to all classes of work?

MR. BENN said, his reference was to the objects mentioned in the Act. Those hon. Members who sat upon the other side of the House were very justly proud of the Public Health Act, but it was only a mockery of the poorer districts of the Metropolis to send such an Act down to them without providing the funds for carrying out its provisions. As he believed that this Bill would confer a great boon upon the poorer districts of the Metropolis, he should give it his cordial support.

\*SIR J. GOLDSMID said, he wished to refer to some of the observations of the right hon. Gentleman who had moved the Second Reading of this Bill. The right hon. Gentleman had devoted most of his argument to proving the desirability of the equalisation of rates in the Metropolis, but the right hon. Gentleman had apparently altogether forgotten the unanimous Resolution of the House that had been passed on the subject. The right hon. Gentleman might have given the House more information than he had done upon two or three other points. The new fund, which

was to be called the Equalisation Fund, was to be raised by a levy of 6d. in the £1 upon the rateable value of the Metropolis, and it was to be distributed according to the population of the various Metropolitan districts. There could not be a more fallacious test of the wealth or the poverty of a district than that of population. Many of the richest cities in America, in France, and in Germany were also the most populous, whilst the smaller towns were often the poorest. It was the same thing in different parts of London. The right hon. Gentleman had not informed the House why he had been led to abandon all forms of distribution other than those based upon population. In no case ought the money to be distributed without the central authority retaining some control over the expenditure. Under the Bill the moment the money was distributed the control over the expenditure passed entirely into the hands of the Local Authority. He did not think that the hon. Member who had just spoken had in any way replied to the arguments of the hon. Member for the Strand Division. True, they had heard some figures, but they did not appear to him to have anything to do with the argument advanced by the hon. Member. What had been done already in the way of equalisation? The County Council was supported by means of a Metropolitan rate; so were the School Board and the Metropolitan Asylums Board, while a portion of the poor rate was a common rate, the total amount of the equalised rates being 3s. 3d. in the £1. He was in favour of further equalisation, especially for sanitary purposes, but he should like to have it clearly laid down that the money would be spent for sanitary purposes only. He objected to the method of distribution proposed by the Government. It was proposed that the grant was to be used, first, for sanitary purposes; secondly, for lighting, and that the balance, if any, was to be devoted to scavenging. He supposed that the right hon. Gentleman knew that there would be no balance. With regard to the first purpose proposed, he thought everybody was agreed about it, but to the second he had a very strong objection. In St. Pancras a great deal of money had been spent on electric lighting. Why in the world other parishes should contribute towards

this expenditure he could not conceive. If the inhabitants of St. Pancras wanted the electric light there was no reason why they should not have it, but he did not see why any other parish should contribute towards the cost. He did not think the right hon. Gentleman would be doing fairly by those who would receive, any more than by those who would pay under this Bill, if he did not establish some control over the methods of expenditure. Personally, he would not object to a larger contribution than was proposed being made by the richer parishes, provided that the money was properly controlled. The principle of equalisation had been adopted practically unanimously by the House, but he could not agree that the test of population was the right test by which the distribution of the money was to be governed, nor could he approve of the details of the Bill.

\*MR. COHEN (Islington, E.) said, he did not rise to oppose the Second Reading of the Bill. He supposed he ought to apologise for his attitude to his hon. Friend (Mr. Boulnois), who had expressed his surprise that anybody on that (the Opposition) side of the House should be willing to support the Second Reading of the Bill. He knew his hon. Friend so well, that he was sure he would not mind if he (Mr. Cohen) returned the compliment, and said he was not at all surprised to find a Member who, like his hon. Friend, represented a parish that was called upon to contribute to this fund, opposing the Second Reading. In the Debate of last year, he (Mr. Cohen) said, and he still thought, that the principle of the equalisation of rates was a right and a just principle as far as it could be equitably carried out. He had decided to support the Second Reading of the Bill, because he understood, as they had constantly been told, that such a course did not pledge those who followed it to anything more than the principle of the equalisation of rates. It did not, however, seem to him any the less legitimate or the less obligatory to inquire how far the proposals of the Government on the one hand tended to accomplish the object they had in view, or how far on the other hand they tended to stimulate extravagance, and to dimin-

*Sir J. Goldsmid*



ish the inducements to economy. The principle of equalisation had already been sanctioned by Parliament, and was to a great extent the law of the land. He did not propose to go over the ground that had been so ably traversed by many speakers, and notably he might say, almost as a matter of hereditary talent, by his hon. Friend the Member for the Strand Division (Mr. W. F. D. Smith). He wished, however, to point out that the common rate amounted to about 3s. 3d in the £1., whilst the balance of the rates was unequalised. It was important to examine the purposes to which the common rate was applied, and also those in respect of which the unequalised portion was levied. The equalised rates consisted of the Common Poor Fund, the County Council Rate, the School Board Rate, the Metropolitan Asylums Board Rate, and the Police Rate. There was also a payment by the County Council of 4d. per day per head for in-door paupers under the Local Government Act of 1888. The expenditure under each of these heads was not only outside the province of the Local Authorities, but they had absolutely no control whatever over the expenditure. As regarded the Common Poor Fund, there was a very valuable check supplied by the intervention of the Local Government Board, whilst as to the payment by the London County Council, although he agreed that it would be better if that payment were to vary automatically according as the number of indoor patients was increased or diminished, there was a very considerable check and control exercised over the Local Authorities. The Bill, very wisely, he thought, did not allow the equalisation rate of 6d. to be applied to all the purposes of Local Authorities, but it was still absolutely necessary, in his opinion, that there should be some efficient control of those authorities if great injustice was not to be done to the ratepayers of those districts which contributed towards the equalisation fund. It had been suggested that this control should be supplied by the London County Council. He had the honour to be a member of the London County Council, and he certainly did not think it was a body to which it would be wise or prudent to confide the appropriation of the

large sum of £840,000. Some central authority, however, there certainly must be, and the Bill provided for no such authority. [At this point the hon. Member said he did not feel at all well, and did not think he could go on. The hon. Gentleman then fell back in his seat, leaving his speech unfinished, and had to be assisted from the House.]

Mr. J. ROWLANDS (Finsbury, E.) said, he deeply regretted the indisposition which had prevented the hon. Member for Islington (Mr. Cohen) from concluding his speech. He (Mr. Rowlands) had been delighted to hear the hon. Member for Chelsea (Mr. Whitmore) insist upon the necessity of the Government dealing with the question of the completion of the government of the Metropolis, and he most heartily endorsed the whole of the hon. Member's observations on that point. He believed, however, that in forcing forward London questions in the way in which they were forcing them forward the London Liberal Members would make it necessary for the Government to complete the system of Government of the Metropolis. He did not agree with the hon. Member for Chelsea in thinking that the London clauses of the Local Government Act of 1888 were not duly considered by the London Members. The reason why those clauses got through the House so rapidly was that the then President of the Local Government Board (Mr. Ritchie) met the London Members in a very fair and considerate spirit, and had a conference with them before the clauses were threshed out in the House. Personally, he did not think the Bill was all that was required in the way of equalisation. The measure brought the House to the fringe of the great question as to where the money was to come from for carrying on the Government of London adequately without overburdening the ratepayers. He believed that before very long the question of an alteration of the burdens of the Metropolis must engage the attention of the House. He particularly desired to deal with the position of the Parish of St. Luke's, which had been referred to by the President of the Local Government Board, who he was sorry was not present to hear his remarks. The question of a more comprehensive treatment of the



burdens of the Metropolis must engage the attention of the House before long, and the question would be accelerated by the passing of this Bill, because parishes which would bear a heavy burden under the present Bill would awake to the great question of how they could get relief for themselves. The President of the Local Government Board had dealt cursorily with the schemes put forward by the Vestry Clerk of St. Luke's, one of the most capable gentlemen occupying similar positions in London, and as well versed in these questions as anybody. Those schemes deserved more than the few cursory remarks made about them by the right hon. Gentleman. The views put forward as to a municipal poor fund, managed by a central body, were by no means ridiculous as they had been treated. It had been recognised that the great question involved would be better dealt with under a common fund for the Metropolis. With regard to the position of St. Luke's, which the President of the Local Government Board said ought not to complain, he was not speaking like some hon. Members that evening, because his constituents had not either to receive a large sum out of the fund or to pay a larger amount. They were on the border line. He must defend the Vestry of St. Luke's against the reflections of the President of the Board of Trade in regard to its costly administration, and pointed out for one thing that the parish made a street improvement out of local charges which ought to have been borne by the Metropolis, and that the electors promptly swept the Vestry out of existence when the scandal was discovered. In other directions also the parish was placed at a disadvantage. They had had to bear for many years the burden of a heavy loan in connection with those street improvements. Then in addition they had a railway scheme for which the promoters did not get the capital required, and the land lay vacant in the parish at heavy interest. That burden also was thrown upon the ratepayers of St. Luke's. It would be well for the House in future to bind down promoters to carry out their undertakings within a certain time. Among the anomalies to be removed were the exemptions from rating; premises should be properly rated throughout the Metro-

polis. St. Luke's was handicapped by its unfortunate position in that respect. Government did not pay, as was well known, the full assessment on property which would have to be paid if it were in the hands of private owners. He would urge the right hon. Gentleman not to cast further slurs upon the Vestry. What was the standard of distribution adopted? In Clerkenwell, with a density of population, 174·5 per acre, the relief was 2½d.; in Shoreditch density 194·31, and relief 2½d.; while in St. Luke's, with a density of 192·9 per acre, the relief was only ½d. under the distribution on a basis of population alone. The Local Government Board ought to take this matter into consideration when the Bill was discussed in Committee where population was so dense owing to smallness of area, people living packed on top of each other in huge blocks. The parish of St. Luke's had endeavoured to carry out the provisions of the Public Health Act, and had spent more in inspection and sanitation than other parishes. Having a purely industrial population they required to be continually on the alert to see that the people were properly looked after. He hoped in Committee Amendments would be moved for extending the scope of the Bill, and that Government would ensure that Local Authorities must expend money out of the fund absolutely for the purposes contemplated by the Bill. At present there was nothing in it to compel Local Authorities to spend money out of the fund in the way intended. This Bill dealt only with the fringe of a great question, and the Government would have to come forward with a larger measure dealing with that question for the good government and well-being of London.

GENERAL GOLDSWORTHY (Hammersmith) said, the object of the Bill to benefit certain parishes should be carried out without doing injustice to others, but he thought the City and other localities were unfairly dealt with by the Bill as now drawn. The 14 parishes mentioned were the most highly assessed in the Metropolis. It was all very well to say that Bermondsey was rated at 7s. 2d. in the £1, but what if it was? St. George's, Hanover Square, also had a very high valuation. The Bill

*Mr. J. Rowlands*

was one simply for transferring the property of owners in 14 important parishes to the owners in 22 other parishes. With regard to himself, living in that highly-assessed parish, if the Bill became law he should apply for a re-valuation to cover this extra sum. That parish, it should be remembered, received no advantage, but, on the contrary, had to pay, and should, therefore, have the power of spending its own money, not leaving it to other people to do so. He considered that the rates were already very high in his parish, and that they paid more than they ought to pay.

MR. MOULTON (Hackney, S.) said, it was right that people should know what the rates were going to be, and that the principle of rating should be settled. The Bill was one which did not deserve to be described as a little Bill. The fundamental justification for the Bill was the difficulty that had arisen in our large towns by the segregation of the different classes of the population, so that instead of the rich and the poor being mixed together they were getting further and further apart from one another. Consequently, if there was to be any fair bearing of public burdens by both classes it was impossible to let each parish stand by itself and selfishly look after its own interests alone. The poorer districts must be assisted by the funds from the wealthier districts. The first case in which that was made apparent was in regard to the indoor poor, which was really a State burden, and not a local charge, and it was soon seen that that burden must be supported from a common fund. By the Bill the House was now going further, and extending the principle to sanitation. How, then, were they to apply this proposal in dealing with sanitation? One thing they were not prepared to give up. The administration of sanitation must be local. It could not be central with advantage, and if it were to remain local the whole of the responsibility and consequences of the extravagance must be left on the shoulders of the local administrators. Otherwise there would inevitably be extravagance. The contribution of the rich districts to the ex-

penses of sanitation in the poor ones must be made in such a way that every check against extravagance should remain, and that where there was extravagance every penny of it should be made to fall on the local ratepayers. The great point of the Bill, and, in his opinion, that which was an answer to four-fifths of the arguments that had been urged against it, was that the contribution to be made depended on the nature of the district to which it was to be paid, and that the responsibility of that district would be in no way diminished. The consequences of its behaviour must rest on its own head. Upon what considerations did the behaviour of a district depend? They knew that the denser the population of a district compared with the value of the property in it the more would sanitation be necessary, and so much heavier would be the charges necessary for that work as compared with the power of the property to bear those charges. Therefore, the consequences was that the Bill had taken this central line—it provided that a fund should be constituted according to the rateable value of property, and that that fund, which was meant to bear the cost of sanitation, should be distributed according to population, for, broadly speaking, population would measure the weight of the sanitation charges to be borne. By that simple device a contribution would be obtained from the richer and less populous districts, and it would be spent in the poorer districts where population was by comparison more numerous. The rest of the money necessary for the work of sanitation the district must itself provide, and if there was extravagance the people in the district would have to bear the burden of it themselves. One of the arguments used against the Bill, in the course of the Debate, was the wickedness of compounding—he would say the wastefulness of compounding. What had compounding to do with the matter? If a district were to compound in the most lavish manner it would not get a penny more or a penny less, and if it declined to compound it would get exactly the same sum as it would if it were to compound. The amount of the contribution depended upon the nature of the district receiving it; and was not affected by the question of

compounding. Another argument used was the argument of extravagance, and the hon. Member for St. Pancras, in a fit of self-abnegation, asked why other districts should pay for the fad of his constituents in installing the electric light. The answer was that other districts would not pay one farthing towards the cost. The contribution would be neither larger nor smaller because St. Pancras chose to indulge in electric light. What the Bill did was to put certain districts in possession of an endowment derived from richer parishes, which endowment they merited because they had the extra burden of a large number of poor, to whose sanitary needs they had to attend. It was said that this Bill did not make the rates equal; but it was never meant to make them equal, and it would be a most unfair thing without examination to make the rates equal in the sense that the amount per £1 would be the same in every district. That could, of course, be done easily by a very small Bill, by making the whole of the rates go to one common fund and providing that all payments should come out of that fund. But where, then, would be the check on local extravagance? It would be a stimulus to each district to spend as much as it could. This would not be to equalise in any fair sense, because districts that were prudent would have to bear the cost of the extravagance of others. The Bill was intended to equalise rates in a far better way. It proposed to give a contribution to the more populous districts, which were at present handicapped by the nature of their population, in order that they might start fair. No one had said that the amount which was to be provided by the richer parishes and distributed among the poorer was extravagant. What alternative schemes had been proposed? The hon. Member for Islington had suggested that the London County Council should have the distribution of a fund which it should apportion as it liked among the various parishes of London. In his opinion, no plan was likely to have more disastrous results. The hon. Member for Islington said that there should be a graduated rate. Graduation apparently was catching. There was a great deal of opposition to the principle when it was introduced with regard to the

Death Duties; but now it was to be applied to local rates. If the hon. Member would sketch out a plan of graduated rates it was possible that it might meet with some amount of support from the Government side of the House, though he doubted very much whether it would receive much support from the Benches where the author of the scheme sat. He quite agreed that there was one defect in the Bill, but it was a defect due to the antiquated divisions to which they still clung. It would be better if they could divide London into homogeneous districts, and not to have districts which were partly rich and partly poor. But until this end could be attained they got a very long stride towards what the consequences would be of a perfect partition of London in the application of the just principle of this Bill. Why should they not take the stride? There was one advantage in this scheme. It introduced no new machinery; it could be applied in the existing state of things without any preparation at all; and if the House could take a step in the direction of justice without providing new machinery and without causing delay he would like to know what reason existed why the House should not take that step?

MR. W. LONG said, he had listened to the Debate with great care, and very little had been said in defence of the plan of the Government with the exception, perhaps, of the speech of the hon. and learned Member. He believed that the hon. and learned Member represented a constituency which, under the Bill, would receive about £20,000.

MR. MOULTON: I wish it did. It only receives 3d. in the £1, or about £5,000.

MR. W. LONG said, he did not suggest that the hon. Member's great admiration for the Bill was based on the fact that the borough he represented would be benefited by its provisions. But it was clear from the course of the Debate that there had been a considerable struggle in the minds of hon. Members representing London constituencies between what they felt with regard to the Bill and what they looked upon as their duty to those whom they represented. All the speakers had agreed that this was a very difficult and complicated subject; and he thought the House had some reason to

*Mr. Moulton*

complain that the Government had not found time to bring the Bill forward for Second Reading until the end of a weary and tedious Session. The Government might even, at an earlier period, have referred the question to the consideration of a Select Committee, who should have been empowered to consider the whole of the difficulties surrounding the question. If that course had been followed it was more than likely that a Bill brought forward based on the results of that inquiry would have passed more easily through the House than was likely to be the case with the present measure. The right hon. Gentleman in charge of the Bill had referred to the local taxation proposals of 1888, and to the stereotyping by the late Government of the grant on the number of paupers. But the right hon. Gentleman forgot to mention that the object at that time was not to distribute money throughout the different districts of London in relief of the burdens between different districts, but in relief of burdens as between real and personal property. The right hon. Gentleman would remember that they had eventually to adopt a sort of compromise between the views held on the different sides of the House. But if it came to stereotyping, the right hon. Gentleman was doing something very much like it. He had listened with amazement to the right hon. Gentleman's statement that the parish of St. Luke's did not deserve assistance because some portion of its expenditure had been improperly or unwisely incurred. In the whole course of his experience he had never heard it advanced that because a Local Authority had foolishly burdened the rates the local ratepayers were not entitled to as much consideration as those whose money had been wisely spent. He regretted that the Secretary of State for India had not been in his place during the earlier part of the Debate. The right hon. Gentleman opposite delivered a speech, one-half of which was devoted to grants in aid pure and simple, but there was nothing to which the Secretary of State for India was more strongly opposed than the system of grants in aid. In this Bill they were saying that areas in London which were presumed to be rich should have a charge

levied upon them for the benefit of poorer areas. There was only one other thing that it could be, and that was a charitable dole. He never expected to find a Bill introduced and supported by hon. Gentlemen opposite which contained provisions which, if they were not grants in aid, were certainly first cousins. He confessed that he did not altogether like this Bill; he did not think it was as practical and fair a measure as could have been drawn. The figures, he thought, showed that, however anxious the Government might be to levy the charge and distribute the money fairly, the result had been that many parishes would not receive in proportion to their needs, while in some cases parishes would be called upon to pay out of proportion to their ability. He did not object to the principle of the Bill, but he was not prepared to admit that they were entitled to carry out that principle in a way that inflicted injustice on any existing area. He had not the slightest objection to grants in aid. He had spent much time in endeavouring to induce the House to extend the system of grants in aid, and he should be happy to do his best with the present Chancellor of the Exchequer to induce him to give still further grants in aid of local rates. He was hopeful that after this measure of justice had been extended to London he should find a soft place in the Chancellor of the Exchequer's heart, and that the right hon. Gentleman, having regard to the good time before him, would be willing to aid, by means of special grants, other districts besides those of the Metropolis, and that they should find him ready to listen to them with regard to equalising local burdens in other parts of the country besides the Metropolis. The hon. Member for Bethnal Green told them that there was no control over this local expenditure on the part of the London County Council, and he pointed to the Public Health Act of 1891, and told them that under that Act they had conferred upon the London County Council direct responsibility with regard to expenditure on the part of the Local Authorities.

MR. PICKERSGILL: I did not. I said that Act imposed upon the London County Council the duty of supervision over the manner in which

Local Authorities administered the sanitary laws.

MR. W. LONG said, that all the Act did was to give the power of appeal to the County Council and leave the County Council to act in default of the Local Authority doing so. But there was all the difference in the world between that power—which was a very old one, and not created by that Act at all—and giving the Central Authority the actual control over the expenditure on the part of the Local Authorities. What he meant by control was that there should be some superior authority—he should prefer it should be a central department of the State—that should have the power of exercising control over the expenditure of money, and in sanitary administration particularly. It was perfectly well known that there was no class of local work in which greater and more costly mistakes were liable to be made, or in which the advice of a competent and powerful Central Authority could be more useful and beneficial to the Local Authorities. At the present time, if a Local Authority required a loan for the purpose of carrying out work of this character, they had to go and obtain the assent of the Local Government Board. They had the enormous advantage that there would be a careful examination into the character of the work to be done, the probable efficiency of that work, and consequently they got assistance which, in the great majority of cases, proved of the utmost value to the Local Authorities, and resulted in the work undertaken being more satisfactory, and of a thoroughly permanent character. That was the class of control they had been referring to, and not the control which meant that after a Local Authority had failed to do its duty then the County Council was to act. That meant an enormous delay before this appeal clause could be put into effect so as to relieve the Local Authority of the difficulties under which they were suffering. He granted that, so far as unwise expenditure went, to some small degree this power was a check. It was, however, rather a cure than prevention, and he would prefer to see the check in a form in which it might be used as a prevention of unwise expenditure; not because he wanted to put the

Local Authorities in leading strings, or to place them in such a position as would make them absolutely dependent upon a Central Authority, because one knew perfectly well, with regard particularly to sanitary work, there was an enormous temptation sometimes to experiment, the result of which led to expenditure which might have been avoided, or which did not prove effectual. To obviate this, they should have the intervention of some strong Central Authority, and, personally, he should prefer that it should be the Local Government Board, which had its staff of well-trained and efficient officers. He thought that the Government had done wrong in accepting the present scheme before they had tried other and more practical measures which had been suggested. The Bill in its present form would not, he believed, secure a wider administration of the public money nor guarantee that a better control should be kept over needless expenditure. For these reasons he could not support the Bill in its present form, although he approved of the principle. He regretted that the Government should have thought fit to bring forward so important a measure at such a late period of the Session, when it was impossible that it could receive that attention in the Committee stage which its complicated details would necessitate. He had not attempted to deal with the more complicated financial questions raised in the Bill, for, in the first place, he did not profess to be a financial authority, and, in the second place, he had a complete contempt for figures. He had invariably been forced to the conclusion that figures could be made to prove anything in the world, and so many figures had hardly ever been produced in any Debate. He had endeavoured to address himself to some other views of the question, and he had done so, although he was not a London Member, because, he ventured to say, this question of the equalisation of rates in London when dealt with satisfactorily would be a benefit not only to London, but to the whole country, and the whole country would be interested in the solution of the question.

\*MR. T. H. BOLTON (St. Pancras, N.) commented on the fact that the Bill had received so little hearty and thorough support. The only Member who spoke

*Mr. Pickersgill*



earnestly in favour of the Bill and its proposals was the hon. Member for St. George's-in-the-East. Even the right hon. Gentleman, who was the father of the Bill and who proposed it to the House, admitted that it was attended with the greatest possible difficulties—[Mr. SHAW-LEFEVRE: No, no!]<sup>1</sup>—and in effect intimated that if he could see his way to any other mode of dealing with the matter he would be disposed to adopt it. Then the hon. and learned Member for Hackney said distinctly, so far as he was concerned, this was not a Bill for the equalisation of rates in London, but to do something which they thought ought to be done to try and adjust the rates as between the various localities in London. They would be told by the Government, and especially by their supporters in London, that this Bill was for the equalisation of rates in London; but it was not a Bill to equalise the rates in London, because it did not equalise them. The inequality of rates was not so great in many cases as it appeared. Under the system of compounding there were many parishes in which the rates appeared to be very heavy, but where in reality they were not so heavy. In many parishes, and Bethnal Green particularly, there were a large number of houses compounded for and an allowance of 25 per cent. was made in some cases. If they took this into account they would see that the rates in the £1 in Bethnal Green were very much increased in consequence of this compounding. Out of 16,542 inhabited houses the owners of no fewer than 13,850 compounded, and got the allowance of 25 per cent. This was one of the parishes which had a heavy rate in the £1, and which was to get a very large relief under this Bill. In the parish of Bromley, which was referred to by the right hon. Gentleman as being the parish which was perhaps the heaviest rated, out of about 9,000 houses the owners of 7,937 received an abatement of 30 per cent. Where there were allowances of that large amount the rate in the £1 which was made did not represent the real rate. The rate in the £1 in Bromley for 1892-3 was 7s. 5d. If they took off that something like 20 per cent. in respect of compounding they would reduce the rate to a little over 6s., which was really the amount of the rate, and not 7s. 5d. He

admitted that even 6s. was a heavy rate, but he said that under the system of compounding the inequality with regard to some parishes was not so great as it appeared. In the parish of Poplar there were about 7,500 houses, the owners of 6,509 receiving an abatement of 15 per cent. In Bermondsey, out of about 11,000 houses, the owners of 7,558 received an abatement of from 15 to 25 per cent. Compounding largely prevailed in many other parishes. No doubt there were considerable inequalities which bore very hardly on particular districts of London, and it was desirable that there should be some legislation in the direction of substantial equalisation of rates. He was not prepared to oppose the principle of a proper and judicious advance in the direction of an equalisation of rates. On the contrary, he believed in such a principle, but he was not prepared to accept this Bill without very large amendments, as in any sense capable of giving practical effect to the principle of equalising the rates in London. There were great difficulties in dealing with this question, one of which arose from the system of compounding. The effect of the Bill would be to relieve owners of property in the East of London at the expense of the large class of tradespeople and inhabitants in the West End and other districts who paid their rates directly. It was not, therefore, to be supposed that this was a relief of one class of ratepayers at the expense of another class. To say that the artisan in the East of London would in any direct way benefit by this Bill was absurd, for he would pay all the same a rack-rent, and the relief would go into the pockets of the East End landlords. Another great difficulty in the way of an efficient Bill for the equalisation of rates was the absence of any satisfactory principle and practice in the valuation of the property of London. A large measure for this purpose was required. Another difficulty was the absence of any broad principle by which the rates levied for the common purposes of London could be distinguished from the money raised for local purposes. That was one of the most important questions that had to be considered in a measure of this kind. The taxation raised for the whole of London should be under the control of the representatives of the whole of

London, and that levied for the districts should be controlled by the District Authority. Each would then be spending its own money, and the fact that each district both raised and spent its own money was the only guarantee that there would be not merely efficient, but economical, management and effective financial control. As the Bill, however, stood, Local Authorities in one district would spend the money raised in another. It was altogether wrong in principle that the authority for one set of people should spend other people's money. The authority that raised the fund should have the control of it, otherwise there must inevitably be extravagance. He knew very well that even in the case of the Common Poor Law Fund, limited as it was to particular objects, largely controlled as it was, subject to efficient audit, it was difficult to prevent the extravagance which authorities were apt to indulge in if they thought they were not spending their own money.

It being Midnight, the Debate stood adjourned.

Debate to be resumed To-morrow.

#### MESSAGE FROM THE LORDS.

That they have agreed to—

Zanzibar Indemnity Bill,

Local Government<sup>1</sup> Provisional Order (No. 17) Bill,

Local Government Provisional Orders (No. 14) Bill.

That they have passed a Bill, intituled, "An Act to provide for the better regulation of quarries." [Quarries Bill [Lords.]]

And, also, a Bill, intituled, "An Act to amend the provisions of The Coal Mines Regulation Act, 1887, with respect to check weighers." [Coal Mines (Check Weigher) Bill [Lords.]]

#### NAUTICAL ASSESSORS (SCOTLAND) BILL.—(No. 312.)

Considered in Committee, and reported, without Amendment; read the third time, and passed.

Mr. T. H. Bolton

#### PUBLIC LIBRARIES (IRELAND) ACTS AMENDMENT (*re-committed*) BILL. (No. 317.)

Considered in Committee, and reported, without Amendment; read the third time, and passed.

#### WAYS AND MEANS.—CONSOLIDATED FUND (NO. 3) BILL.

Resolution [23rd July] reported;

"That towards making good the Supply granted to Her Majesty for the Service of the year ending on the 31st day of March 1895, the sum of £17,715,550 be granted out of the Consolidated Fund of the United Kingdom."

Resolution agreed to.

Bill ordered to be brought in by Mr. Mellor, The Chancellor of the Exchequer, and Sir J. T. Hibbert.

Bill presented, and read first time.

#### RAILWAY RETURNS.

Return presented,—as to the Capital, Traffic Receipts, and Working Expenditure, &c., of the Railway Companies of the United Kingdom for 1893 [by Command]; to lie upon the Table.

#### COLONIAL PROBATES ACT, 1892.

Copy presented,—of Order in Council, dated 18th July, 1894, applying the provisions of the Act to the Island of Jamaica [by Act]; to lie upon the Table.

#### FOREIGN JURISDICTION ACT, 1890.

Copy presented,—of Order in Council, dated 18th July, 1894, entitled, The Matabeleland Order in Council, 1894 [by Act]; to lie upon the Table.

#### WINTER ASSIZES ACTS, 1876 AND 1877.

Copies presented,—of eight Orders in Council, dated 18th July, 1894, relating to the forthcoming Winter Assizes [by Act]; to lie upon the Table.

#### MARRIAGE LAWS (UNITED KINGDOM).

Address for "Return giving (1) a Copy of the Report, dated July 1868, of the Royal Commission on the Laws of Marriage; and (2) a Summary of the Enactments relating to Marriage which have been passed since the 1st day of July 1868."—(Mr. George Russell.)

House adjourned at five minutes  
after Twelve o'clock.



## HOUSE OF COMMONS,

*Wednesday, 25th July 1894.*

## ORDERS OF THE DAY.

EQUALISATION OF RATES (LONDON)  
BILL.—(No. 124.)SECOND READING. [ADJOURNED  
DEBATE.]

Order read, for resuming Adjourned Debate on Amendment proposed to Question [24th July], "That the Bill be now read a second time."

And which Amendment was, to leave out the word "now," and, at the end of the Question, to add the words "upon this day three months."—(*Mr. Alban Gibbs.*)

Question again proposed, "That the word 'now' stand part of the Question."

Debate resumed.

MR. T. H. BOLTON (continuing his speech which had been interrupted under the Standing Order of the House on the previous night) said, he was endeavouring to point out that this Bill was not really what it professed to be. It was not a measure for the equalisation of rates in London, but a Bill rather for the purpose of taking a contribution from some parishes towards the rates of other parishes, and instead of alleviating the unfair incidence of taxation, it would, if anything, increase the difficulties and inequalities. He also endeavoured to point out that this was a Bill which ought to come after, instead of before, other large reforms in connection with local government, and the difficulties which were involved in attempting to deal with these questions in this piecemeal and unsatisfactory way. He wished it to be understood that he did not object to a Bill which would further equalise the rates in London, provided that such a measure proceeded upon satisfactory lines, for he believed there was room for a considerable equalisation of the rates in London. He altogether differed with the Government as to the mode of and time at which they were endeavouring to carry out this professed object. He knew it would be said that he and the hon. Members who thought with him were opposing a Bill for the equalisation

of rates in London, and that they would suffer some disadvantage from the misrepresentations of their opponents. But whatever was done in that regard, he repeated that their opposition to the Bill did not mean that they were opposed to equalisation, the necessity for which they all admitted, but to the provisions of this particular measure. It was a strange thing that the hon. Gentlemen who advocated the Bill had had become less and less enamoured with it as the Debate proceeded. The right hon. Gentleman who introduced it introduced it as a Bill to equalise the rates, but the hon. and learned Gentleman who had had more to do with this matter than anybody else had almost in terms thrown over the Bill as brought in, because the hon. Member for Hackney said the Bill did not make the rates equal, and that it would be an unfair thing, without examination, to make them equal in the sense that the amount per £1 should be the same in every district. He did not know what equalisation of rates meant unless it endeavoured to do what the hon. and learned Gentleman said it was never intended to do. If it was not intended to make the rates equal he really did not know what its object was. He wanted to emphasise that declaration of the hon. and learned Gentleman, who, as he said, was more the father of this Bill than the right hon. Gentleman who introduced it. What did the hon. Member who represented Shoreditch say? He said that the principle was that the richer districts should contribute to the poorer. That would be a reasonable principle if it were justly applied, but might come to be not only unreasonable, but a hardship if capriciously applied. Surely it was a capricious thing to take a certain class of ratepayers and arbitrarily place upon them a heavy burden for the sake of handing over the money extracted to be spent by other ratepayers in another part of London. It appeared to him that the advocates of this Bill did not understand what its principles were. It professed to be a Bill to equalise rates and redress inequalities. In fact, it created as many inequalities as it redressed, and such as were redressed were redressed in a capricious, unsatisfactory, and partial way. The difficulties connected with this Bill were such that he could not help thinking the House would hesitate before it was passed through its final stages.

Before such a Bill was placed before the House they ought to have a large readjustment of the governing authorities of London. At the present time they had a number of Vestries and District Boards dealing with sanitary and other local matters, while the County Council was dealing with other matters common to the whole of London, but there was no broad distinction between matters that were local and which should be dealt with by the District Councils and those which were general, and should be dealt with by the London County Council. The time had come, he thought, when there should be a very considerable readjustment and rearrangement of the Local Authorities of London. What did the hon. and learned Gentleman the Member for Hackney say in regard to this argument? He said it would be better if they could divide London into homogeneous districts, so as not to have districts which were partly rich and partly poor. He did not understand what he meant by that or how the suggestion could be carried out. But there was a rotundity of oratorical expression about the hon. and learned Gentleman's statements, and a mystery about them, showing that he had no clear conception in his mind as to what the situation was. He understood the hon. Gentleman admitted there was a great defect in the Bill owing to the antiquated divisions to which they clung. He agreed to that, and that this Bill could not be satisfactorily worked, and that before any Bill on these lines should be carried there ought to be a readjustment of the areas of London and a rearrangement of the duties and powers of the various authorities, local and metropolitan, and of the proportion of the rates. This was a very difficult subject, which could not properly be dealt with without the gravest consideration and full inquiry. The fact was, that this was a short Act to deal with a very important subject, and, like all short Acts, it was calculated to make matters worse rather than better. He did not know why the Bill should be pressed forward at this particular moment. He heard an hon. Member say that London was waiting. London had, however, waited for several Bills, and London could not have everything at once. He believed that gentlemen from Ireland were complaining of waiting, and there were other sections of Members who also had to wait. At that very moment an

important Commission, appointed by the Government, was sitting to consider the large question of the unification of London. In a few days that Commission would make its Report, and that Report would probably recommend very large changes in connection with the municipal government of London, changes which would lie at the root of any readjustment on which a sound alteration of taxation could take place. Surely it would be reasonable not to press forward this Bill until the Report of the Commission had been presented. This Bill was based upon the principle of grants in aid. It was, therefore, a little inconsistent with declarations that had proceeded over and over again from the Treasury Bench. Two of the leading Members of the Government had in season and out of season denounced the impolicy of handing over money as a gift to be spent by Local Authorities. As far as the question of policy was concerned, it did not matter whether the money came from Imperial or from local funds. When grants in aid were made it was important that they should be appropriated to specific purposes, and that the Local Authorities to which they were made should have to spend an equal amount derived from local sources upon those purposes. When this system was adopted it imposed a certain amount of responsibility on the Local Authority. He certainly thought that the grants in aid to be made under this Bill should be distinctly ear-marked, and that there should be a provision that an equivalent amount should in every case be provided for the same purpose by the Local Authorities. In some parishes where sanitary matters, lighting, and street improvements were already well attended to, the authorities might not care to spend anything more upon those purposes, and the handing over of this extra money would, therefore, encourage experiments and extravagances. At the present time, taking the average rate as from 5s. to 5s. 6d., more than 3-5ths of that rate was, he believed, already equalised. There was another matter which bore to a certain extent upon the question of equalisation. Under the Local Government Act of 1888 the County Council had power to declare certain roads to be main roads. If the London County Council had declared some of the large arterial roads in London to be main roads they would have

equalised some of the very burdens which it was proposed to equalise under this Bill. The Vestry of the parish of St. Luke's had called special attention to the matter by presenting to the House a Petition, in which they said that they were under great pecuniary disadvantages by reason of the fact that their parish was intercepted by great trunk roads, which they had to keep up, although such roads were not so largely used by the inhabitants of the parish as they were by the general public of London. The roads they mentioned were the City Road, the Goswell Road, and Old Street. If the London County Council had maintained such roads as those, and either undertaken the management of them or contributed to the expense of maintaining them, they would have practically effected equalisation. This, however, was not altogether in accordance with the policy of the London County Council or of the Government. Their policy seemed to be to make as much noise about equalisation as possible, and to get as much credit out of that attempt to deal with it as possible, whether that attempt was wise or not, instead of usefully and sensibly applying the powers they at present possessed, and thus in a practical way alleviating the burdens of London. He wished to know whether it was desirable to attempt to do by means of a short Act that which ought only to be done by a large and comprehensive measure? Was it desirable to embark upon experiments in equalisation when there were means of equalisation already available which, if used, would benefit poor parishes quite as largely as probably this Bill would do? Nothing, in his opinion, could be more fallacious than the principle of distributing this money according to population. The fact that there was a large population in a particular parish did not necessarily involve greater needs either as to sanitary matters or as to lighting. Probably there was something to be said on the subject with regard to sanitation; but as far as lighting was concerned, where the population was aggregated in barrack-like buildings, as it was becoming more and more aggregated under the new system, an increase of population did not necessarily mean an increase of expenditure upon lighting. It had been shown by statistics that the result of distributing the money according to population would be

most capricious and unfair. It would produce alleviation of burdens where it was not much wanted, and would not give assistance where alleviation was necessary. It meant the taxation of all rate-paying occupiers for the benefit of a certain class of property owners in the crowded districts of London. If such a proposal had been made from the other side of the House he did not know what language would have been too strong for some supporters of the Government to have used in denunciation of this subsidising property owners at the expense of the rates.

MR. BENN (Tower Hamlets, St. George's): How about the small shopkeeper?

\*MR. T. H. BOLTON said, he had been pleased to see that two hon. Members opposite had had the courage to say that although their districts would derive a large pecuniary benefit from the passage of the Bill they thought it so unfair and unreasonable that they could not support it. The small shopkeeper generally paid his rates himself, and certainly in such parishes as that of St. George's, Hanover Square, the small shopkeeper would get no benefit from this Bill. No doubt the ratepayer in the district which the hon. Member below him (Mr. Benn) represented would get some benefit from the Bill. But was it the policy of the hon. Gentleman and the London County Council to count noses and see how a particular increase of rates would benefit a certain class of persons whose votes they wanted, regardless of how that increase would affect other persons?

MR. BENN: I am sorry to interrupt, but I would point out to the hon. Member that my shopkeeper already pays a great deal more than the shopkeeper in St. George's, Hanover Square.

MR. T. H. BOLTON said, he did not think that was the case, but he would not go into that point now. The mistake made in the Bill was that of supposing that the poor of London were all lumped together in particular districts. One hon. and learned Member had argued that the poor ought to be collected in particular districts, although he had not been able to show how such a proposal could be carried out. If such a proposal could be carried out it would be one of the worst things that could happen. As it was, the poor of London were distributed over the whole of the Metropolis, and there

were districts mainly inhabited by well-to-do people which contained persons quite as poor as those who lived in what were called the poor districts. Mr. Booth, in his *Labour and Life of the People*, said upon this very point that in the West End there were six separate districts each containing much poverty which was not apparent from the figures given in the statistical tables, because well-to-do and wealthy streets were lying contiguous to the streets occupied by the poor and were included in the same district. He had looked through the Return with regard to the Bill recently presented to the House with a view of ascertaining whether there would be any difference in the operation of the Common Poor Fund and this proposed equalisation fund; whether there were any cases in which the Common Poor Fund inflicted charges whilst the equalisation fund would give relief, or in which the Common Poor Fund gave relief, while the equalisation fund would create charges. He would contrast the effect of the two funds. It was very difficult to get at the exact figures; but as far as he could understand, in Chelsea the Common Poor Fund gave a benefit of about 1½d. in the £1, while the Bill would give a relief of only about ¼d. in the £1. In Clerkenwell the Common Poor Fund gave a relief of about 5d., and this Bill a relief of 4d. In St. George's-in-the-East the Common Poor Fund gave a relief of about 2s., and this Bill of only about 5½d. In Whitechapel the Common Poor Fund gave a relief of about 6d., and this Bill gave a relief varying from about ½d. to about 5d. In St. Luke's the Common Poor Fund gave a relief of only about 5d., and the Bill of only about ¼d. In St. Pancras the Common Poor Fund gave a relief of about 2d., and this Bill about 1d. He wished to know why there should be these discrepancies when the underlying principle of both the Common Poor Fund, and this Bill was equalisation of rates and adjustment as between the well-to-do ratepayers and the ratepayers who could not afford to pay heavy rates? In the case of Battersea the Common Poor Fund made a charge of about 1½d. in the £1, on the ground that Battersea could afford to contribute to the relief of other parishes, but this Bill would give a relief of 3d. In Islington the Common Poor Fund made a charge of nearly 2d., whereas this Bill gave a relief of about 3d. In Lewis-

ham the Common Poor Fund imposed a charge of about 1½d., whilst this Bill would give a relief of about ¾d. In Wandsworth the Common Poor Fund made a charge of rather more than 1½d., whilst this Bill would give a relief varying from ½d. to 1d. In view of these discrepancies, if the principle on which the Common Poor Fund was based was right the principle on which this Bill was based must be wrong. The whole thing was monstrously absurd. Two funds were to be set up in London, the one charging parishes with a contribution to the Common Poor Fund upon the ground that they were well able to contribute to the relief of poorer parishes; the other giving relief to the very parishes so charged. Then came the cases where the common fund gave relief, and this Bill would impose charge. Let them take the case of Marylebone, which was relieved under the Common Poor Fund to the extent of about ½d. in the £1, but this Bill would charge Marylebone with about 1½d. in the £1; the Holborn Union was relieved to the extent of 5d., whereas under the Bill parishes within the Holborn district—not the whole district—were to be relieved to the amount of from about ½d. to 4d. in the £1; St. Giles's, under the Common Poor Fund, got relief amounting to about 2d. in the £1, but under the Bill that parish was to be charged to the extent of 1½d., thus cutting down the relief obtained to about one ½d.; St. Olave's, Southwark, was now relieved to the extent of about 2d. in the £1, but would be charged under the Bill from .09 of a 1d. to about 5d., according to the population of parishes in that district. St. Saviour's, Southwark, was an extraordinary case. It now obtained relief amounting to as much as 6d. in the £1, but would be charged under the Bill with a contribution of from ¾d. to 3d., according to the population of parishes within the district. The parishes which were so unfairly treated were those specially deserving consideration. The professed object of the Bill was to have sanitary improvements provided in the poor districts where such improvements were specially required. The district of St. Saviour's was recently in such an unsatisfactory condition that the Mansion House Committee for the Housing of the Poor called the attention of the County Council to the subject, and the medical officer of the County Council, Dr. Shirley Murphy, was sent down, and reported

that, "compared with the rest of the population of London, the population of St. Saviour's, Southwark, is poor." Yet that poor district was to be charged under the Bill in the way he had indicated.

**MR. SHAW-LEFEVRE:** The rates of St. Saviour's, Southwark, last year were only 4s. 11d.

**MR. T. H. BOLTON** said, that showed the fallacious character of this particular Bill. The parish also contained warehouses in certain portions, bringing down the rate over the whole district to about the figure named by the right hon. Gentleman.

**MR. SHAW-LEFEVRE:** Perhaps I may point out that St. Saviour's benefit from the tolls of the market, and, therefore, the actual rate is only about what I stated.

**MR. T. H. BOLTON** said, that recently a large expenditure had been incurred and there was a heavy debt, and the tolls of the market were thus largely absorbed. There was practically at present (so he was informed) no benefit from these tolls. This only showed how little the Government, in dealing with this question, had looked into the details. In part of the district of St. Saviour's, Southwark, the rate was much heavier than that stated by the right hon. Gentleman. In regard to his own borough the Bill was most unfair. Looking at the matter simply from the point of view of the hon. Gentleman below him (Mr. Benn), why should Islington, which was certainly no poorer than St. Pancras, receive something like 3d. under the Bill, while St. Pancras would only get 1d.? **MR. BOOTH**, in his well-known work *Labour and Life of the People*, had reported that St. Pancras was the poorer. It would no doubt be said—"If you will not accept this allocation of the money, what have you to propose instead?" His answer was that, the County Council being overloaded with work which it could not properly attend to, he hoped they would get a readjustment of the local government of London. A rearrangement of Local Authorities must lead to a rearrangement of local taxation, and that would be a more satisfactory way of dealing with the question than that proposed by the Bill. But there was another line on which they might proceed. Where was the difficulty of carrying out a further reform in connection

with the Poor Law in London? Why not equalise the poor rate for London, and create a central Poor Law Council with District Committees under that Council? The complete equalisation of the poor rate would be an enormous relief to many parishes. It was said that this would destroy the independence of Local Authorities. He did not know that there was any great amount of independence possessed by local Poor Law Guardians. He had been a Guardian of two of the largest parishes in London, and he always felt that perhaps five-sixths of the work they had to do was routine work concerning which they had very little discretion. If, however, they determined to give relief to sanitary expenditure, he thought there might be a sanitary rate devoted to specific purposes, the contributions in aid to amount to no more than one-half the local expenditure on the specified objects. He could not help thinking that the Bill was brought forward much more with the object of making political capital rather than with an earnest desire to give satisfactory financial relief to overburdened ratepayers. He could not imagine that the Bill was brought forward with any serious intention that it should pass. It had been subjected, to his mind, to most destructive criticism. The criticism spent upon it last night would have killed any ordinary Bill; and if there were only time to make known the objections to it, he believed the pressure that would come upon the Government from all quarters would be such as to drive them to find some excuse for dropping it altogether—for this year, at all events—and then, in the light of experience, and after further inquiry, a satisfactory measure might be submitted next Session.

**\*MR. H. L. W. LAWSON** (Gloucester, Cirencester) said, he felt no call to apologise to the House for intervening in the Debate, for though he had ceased to be a London Member he had not ceased to be a London citizen. He would not try to rival the hon. Member who had just sat down in the portentous length of his oration, which had recalled the achievements of the late Mr. Biggar in the height of his career, when, in order to occupy time, he read long extracts from the Blue Books. Without resorting to that expedient, the hon. Member had

spent an hour and a-half in dealing with a Bill of three clauses. Personally, he gained something in being detached from local interests and local temptations, because the question to be decided was whether this Bill, in its application, would do justice to London as a whole. So far the Debate had turned too much upon details—upon the amounts in the £1 which would be received or paid by this or that parish. It was overloaded with fractions of 1d. The rejection of the Bill had been moved by an hon. Member for the City, which was more lightly taxed than any other part of the Metropolis, and it had been seconded by the hon. Member for Marylebone, who grounded his whole case on the effect the Bill would have upon that borough. But was the opposition to the Bill going to be pushed to a Division? It was said that this was an attempt to do something with a rush. Yes; but London had to wait for everything half a century longer than the rest of the country. It was not until 1888 that London received free and representative local government, and yet the hon. Member thought that the fiscal reform of London could afford to wait. He left the hon. Member to settle that matter with his constituents. It was said that the central authority should take over the main roads of the Metropolis; but the definition of the main road in the Act of 1888 would make a main road of almost every road in London. It was generally admitted that in practice it was impossible to apply to London the provisions of the Act of 1888, which were meant primarily for provincial counties. Then it was said that the application of the Common Poor Fund must be extended, but he would be a bold man who would advocate that the principle should be applied to the extent of allowing unlimited outdoor relief in every Union in London. Some Unions were set against outdoor relief, and in Whitechapel there was none; and differences in the conduct of Boards of Guardians affected the distribution of the Common Poor Fund. The principle of the Bill was perfectly plain; it was to establish a Common Sanitary Fund throughout the Metropolis. Could it be denied that the arguments which justified the existence of the Common Poor Fund applied with tenfold more force to the sanitary condition of the Metropolis? If they were good in the one case they

were good in the other, and he begged to call the attention of the right hon. Gentleman opposite to his own speech on the Second Reading of the Poor Law Amendment Act of 1869. The right hon. Gentleman took high grounds in this House, declined to go into an addition to the rates there or subtraction from the rates there, and said that it was really of national importance that the charges should be spread over the Metropolis, subject to control, and said he thought the House would not consider Metropolitan pauperism was a mere matter of local interest. If Metropolitan pauperism was not a mere matter of local interest Metropolitan sanitation was not, and all the arguments used then would apply to the question now. On the occasion to which he referred, the right hon. Gentleman said that hundreds of thousands of men were driven into London who were not indigenous to the soil. Of course, if they had to be provided for, if it was necessary for the State to step in and prevent them absolutely starving on the streets, surely it was equally important to the Metropolis generally to see that the sanitary condition of the houses in which they lived and of the parishes in which the houses were situated was satisfactory. He did not know whether the House realised the difference in sanitary expenditure in different parts of London. He would take two typical cases; one being the parish in which he lived. So far from gaining under this Bill, he believed that parish was mulcted to the extent of 5d., and he supposed he should have, *pro rata*, to pay his share. He took the cases of Bethnal Green and St. George's, Hanover Square. Bethnal Green had a population of 139,000 and St. George's, Hanover Square, about 80,000. Now, in scavenging and watering Bethnal Green spent only £17,000 and St. George's £28,000; in public lighting Bethnal Green spent £3,500 and St. George's £9,000, and in dust removal, while St. George's spent £4,000, Bethnal Green spent so small a sum that it was included in the general rate for roads. Was there anything in the nature of things which should make it desirable that the scavenging of streets and the supervision of the local sewers should be better attended to in St. George's than in Bethnal Green? It was of at least as much importance, considering the danger

of contagious disease, that money should be spent in the sanitation of the poorer districts. He should like to know whether they were to condemn this Bill simply because of a few anomalies, which could be easily accounted for, and a few holes they could pick in it? He did not believe any more satisfactory test could be found than the one which had been adopted, and he believed the Bill would give more general satisfaction than the Common Poor Fund. It would lead to sanitary reform and to better administration throughout the parishes and districts of London, and he was not to be deterred from supporting it by the fact that a few isolated cases might be found in the length and breadth of the Metropolis where it might work with some hardship. To apply an old couplet—

"Whoever hopes a faultless tax to see,

Hopes what never was, nor is, nor e'er will be."

In regard to a London rate, it was impossible that they could make it absolutely just, and what they wanted to do was to make it practically equitable in its incidence. He believed that in a common sanitary rate as proposed in the Bill the best step was taken with a view to the improvement of the sanitary state of the Metropolis.

MR. R. G. WEBSTER (St. Pancras, E.) said, that he was in favour of the equalisation of rates, and when the question was discussed in this House no Conservative Member opposed it. This Bill, however, dealt with the question entirely on the basis of population. In a part of the borough he represented—namely, that portion known as Somers-town, from the fact that the Midland Railway Company had greatly encroached upon it, the population had materially decreased and shopkeepers experienced great difficulty in earning a living. What would be the result of this proposal of the Government? Why that these very shopkeepers from the fact that the population had decreased would not receive the equitable treatment to which they would have been entitled if they had remained in the district. In Islington and other parts where this population might have gone to, and which would not be poorer, but perhaps better off than St. Pancras, they would receive 3d. in the £1, whilst St. Pancras would only receive 1d. in the £1. If the Government had wished to draft a Bill for the fair equalisation of

rates in London they would not have considered solely and absolutely the question of population. They had had comparisons in regard to the expenditure on roads in Bethnal Green and St. George's, Hanover Square; but nobody had considered the width of the roads in St. George's, Hanover Square, or Bethnal Green, or the amount of the traffic over the roads. Again, as to the cost of dust removal, a great deal depended upon the facilities for this work, which varied very much in different districts. He contended that the equalisation of rates, to be just, should be based not solely on population, but on the amount of work which each district ought properly to answer for in regard to lighting, cleansing, and other sanitary matters. If a system of that sort were devised it would meet with approval on both sides. Regarding the rating of various districts of London, he did not think enough had been made of the fact that people who took houses of a certain description, say, in St. George's, Hanover Square, knew that they would have to pay from £50 to £65 per year for it, whereas in a poorer district they would only have to pay £40 for the same class of house. Assuming the rates in the latter district were 6s. in the £1 on £40, that would only cause the ratepayer to have to pay £12 a year, whereas if he had to pay for a similar house in St. George's, Hanover Square, only 5s. in the £1, that individual would have to pay in St. George's, Hanover Square, a sum of no less than £15. He would, again, like to point out that the leakages in the poorer districts were not so great as the leakages in the wealthier districts. In a great number of the wealthier districts of London houses were very difficult to let at the present time, whereas in the poorer districts there was no such difficulty experienced in the letting of small tenements. A system had grown up in the poorer districts of a sort of tenant right. That was to say, a tenant not wishing to remain in a house any longer, so to speak, sold his key to another tenant, and if the owner found the newcomer was a respectable man he very willingly accepted him as the new tenant. One of the greatest sources of leakage was the system of compounding. As a result of such system in some of the poorer districts of London where the rates were



nominally high, owners received an abatement of 25, and in some cases 30, per cent. in respect of a very large proportion of the houses rated in the district. In Bethnal Green there were 16,542 inhabited houses, and no fewer than 13,850, of which the rateable value did not exceed £20, received an abatement of 25 per cent. In Bromley, out of 9,000 houses and shops of all values, the owners of 7,937 received an abatement of 30 per cent., or a sum of very nearly £12,000. He could not understand for one moment why the Government had brought in this Bill at the present time. They knew that when the members of the London County Council put up for election they had various proposals to submit to the ratepayers. They were for rating all owners, for the taxation of ground values and various other matters, but there was no proposal for the equalisation of rates then brought before the Metropolis by the candidates for the County Council, and he ventured to say if this scheme now put forward by the Government was that of the County Council it was not one which would tend to increase their popularity. It was not by shifting the burdens from one class of ratepayers to another that they could relieve the ratepayers of London. There were poor people in all parts of London, even in St. George's, Hanover Square, and the real way to aid the ratepayers was by devising some tax by which they should receive a large sum of money without adding to the burdens either of themselves or any other ratepayers. By the action of hon. Members opposite, and also, he regretted to say, of some hon. Members who sat on his own side of the House, the Londoners lost £500,000 a year by their recklessly and foolishly doing away with the Coal and Wine Dues, that sum of money being, practically, absolutely thrown away. The scheme of the Government to take off one set of ratepayers the sum of £250,000 and put it on the shoulders of another set was only like taking money from one pocket and placing it in another. The net result of the Bill was to take £223,000 from the City and eight Vestries and to give it to 27 Vestries and District Boards. He maintained that the principle adopted in the Common Poor Fund with regard to the relief of the poor should be applied in this Bill with regard to road making and sanitary arrange-

ments, and observed it was a remarkable fact that several districts that now had to pay under the Metropolitan Common Poor Fund would receive under the scheme of the Bill. For instance, Islington, which now paid £14,000 in aid of this Common Poor Fund, was, under the scheme of the Government, to receive £21,000 in aid of local taxation. It was obvious, therefore, that this proposal of the Government could not be described as an extension of the Common Poor Fund, because it went in many districts totally against it. Some of the poorer districts in London had institutions which were not in their own, but in other districts. Take the parish of St. George's, Hanover Square. As a matter of fact, a great portion of their paupers were in the parish of Chelsea.

\*SIR C. W. DILKE (Gloucester, Forest of Dean): The workhouse is in the parish of St. George's; it is under their own control.

MR. R. G. WEBSTER expressed the opinion that his statement would be found to be correct, and, if so, could there be a greater anomaly than that the parish of St. George's, Hanover Square, having to pay for their paupers residing in the parish of Chelsea, that these paupers should be counted in the population of Chelsea, and the parish of St. George's should not only have to maintain the paupers in their particular buildings, but should then have to pay the parish of Chelsea a sum of money for the paupers being in their district? There seemed to him a subtle element of irony in the suggestion, which only those who had thought the question over could thoroughly appreciate. He would like to point out that there were several parishes in London—such as St. James's—which had to spend large sums in the maintenance of roads, because these roads, owing to their situation, were used not only by the inhabitants of the district but by the people of London generally; and it was manifestly unfair that if their rating was low these very ratepayers in these districts should have to pay in aid of outside parishes who had no such expenditure with regard to roads. There were certain parishes in London, such as the riverside parishes, where the day population was much larger than the night population. He contended that the day population had much greater

*Mr. R. G. Webster*

requirements than the night population. The day population required the cleansing of the streets, the maintenance of the roads, and absolute sanitation, and as they did not return to their homes till 8 or 9 o'clock at night they required, especially during the winter months, efficient lighting of the streets. Therefore, by dealing with this question solely on the basis of population, it would not only hit the City very badly, but also a vast number of poorer parishes, especially in the East End of London, where a large number of workmen were employed during the day, but slept elsewhere at night. His greatest objection to the Bill was that it provided for no control whatever over the expenditure of the grants from the equalisation fund similar to the check which was placed on Boards of Guardians receiving contributions from the Metropolitan Common Poor Fund or otherwise. For years past the Local Authorities in London had been obliged to send in to the Local Government Board Taxation Returns in which was given from time to time the amount of their average expenditure. He ventured to say that if these Returns were carefully investigated by a strong Parliamentary Committee a standard might be devised by which each area would receive an adequate amount from the common fund for sanitary purposes. In the case of Local Authorities in London, the County Council, no doubt, had some authority; they could, for instance, examine all the loans proposed by them; but when the argument was adduced that one district had spent 6s. or 7s. in the £1 and another only 4s. or 5s., he thought they ought to examine how much public work had been done in the one district and in the other, for very likely in the latter district the ratepayers had not expended large amounts in the luxury of a new town hall, electric lighting, and other things that the other districts had indulged in. As a matter of fact, under the proposed scheme the district that had been economical, and had done its best to keep its rates down, would be made to pay for the extravagance of another part of the Metropolis. They did not know exactly in this matter whether the Government proposed to take into consideration at some future stage of the Bill the actual work that had been done in the district or whether they did not. The Government

based their proposals mainly on the question of population, and what would be the result of that? He feared that it would have the effect of causing people to crowd into districts like Islington, which was already overcrowded, where the rates were lower than elsewhere in the Metropolis, with the result that overcrowding would be intensified, and this, of course, would be contrary to the true principles of sanitation. They had recently had some knowledge of a fearful plague in Hong Kong—a place he had visited more than once. That scourge was due simply to the population being too crowded together. The streets were too narrow and the people were herded together in such a way that no proper sanitary work could be done. If they based the Bill upon population they ran the risk of making some of the districts of London more overcrowded than they were at present. He had ventured to prepare some Amendments which he would move if the Bill passed the Second Reading. He would suggest that the lines upon which they should proceed in this matter should be that an equal charge should be put upon all ratepayers in London for similar services rendered by the Local Authority, taking into account the work they had done and the work they ought to do in connection with the removal of dust, scavenging, painting, lighting, and the supervision of the work of sanitation. This Bill, though it professed to be a Bill to take money away from the wealthy part, of London and give it to the poorer, did not altogether do that. He would ask the right hon. Gentleman the President of the Local Government Board whether he maintained that Islington was a poorer district than Bermondsey or Fulham or Rotherhithe? What would happen after the Bill became law? Why, Islington would only have to pay 4s. 11½d., whereas Bermondsey would have to pay 7s., or 2s. more. Fulham—in which there were a large number of poor—would have to pay 6s. 6d., and Rotherhithe 6s. 8d. He maintained that Bermondsey, Fulham, and Rotherhithe needed a greater measure of relief than the, comparatively speaking, wealthy district of Islington. He had asked the question, and he had been unable to solve it in his mind, why the Government had brought in a Bill. Could it be that they simply desired to put it before Members, to have it discussed

in a perfunctory way, and then to drop it after the Second Reading, as they had dropped other measures? Their object in that case could only be to secure votes in some of the districts of London. The system the Government proposed would be so little under the control of a Central Authority that he believed, if it were adopted, it would cause extravagance all over London. He could scarcely believe that the Government had brought in the Bill as a bribe to certain districts in the Metropolis with a view to obtaining Party support; but he could not help perceiving that they were very willing to transfer money from one class of people to another, as was shown not only by this Bill, but by the Evicted Tenants' Bill. Although his constituents would be benefited nominally by the Bill—and the benefit would only be nominal, for though St. Pancras would gain 1d. in the £1 after the first year, it would lose 2d. or 3d. on the general aggregation of rates—yet he could not see his way to accept that benefit unless it was given in a fair and equitable way. If such an equalisation scheme as he had ventured to suggest—a scheme by which the actual work done in the district and the actual requirements were taken into consideration—were adopted, he thought that much better results would be attained. He looked at the matter not from a local, but from a Metropolitan point of view, and he contended that the present scheme, based as it was solely on population, was inequitable and unjust, and would prove completely unworkable.

\*Mr. W. SAUNDERS (Newington, Walworth) said, the right hon. Gentleman who introduced the Bill had informed them that he did so in consequence of the Resolution passed by the House in February last year proposing or urging on the House the necessity of making provision for the equalisation of rates in London. This Bill did not give effect to that Resolution. Only in a small degree would it operate, and in no degree did it recognise those important causes which brought about an inequality of rating from which so much injustice and suffering arose to the industrial classes of London. The action of the Bill was limited to areas and amounts, and it did not apply to those more important inequalities which arose from various causes, one of which was inequality in the method of assessment.

*Mr. R. G. Webster*

The method of assessment varied in different localities, and inquiries that had been made by the County Council showed that throughout the Metropolitan area there was a great tendency to undervalue large properties. These large properties were under valued to the extent of at least £2,000,000, and the ratepayers of London lost £500,000 per annum from that circumstance alone. Surely a Bill which did not take such an important circumstance into account could scarcely be regarded as carrying out the Resolution of the House. The inequalities applied to all areas, and the mere shifting of the rate from one area to another would not in any way lead to an adjustment of the most serious inequalities. If the House had resolved that it was necessary to make provision for the purification of the Thames it would not have been sufficient merely to introduce a Bill which would provide for the taking up of a spoonful of mud from the lower part of the Thames, and carrying it to the upper part. Such, however, was practically what this Bill did. In the district in which he lived the inequalities of assessment were amazing. Where a mansion was surrounded by 10 acres of land, those 10 acres would be rated at £4 an acre, but the land adjoining the house of a tradesman, surrounded by one acre only, would be rated at £80. When these large properties came into the market and artisans' dwellings were built upon them the rating immediately went up from £4 to £80 an acre. These were the inequalities to which he wished the Government had addressed themselves. The present method of taxation not only imposed upon the ratepayers the whole burden of the cost of improvements, but compelled them to pay in rent of land the value which these improvements created. Some time ago the County Council established a free ferry at Woolwich; that ferry was maintained at the expense of the ratepayers, and the result of its establishment was a large increase in the value of the neighbouring land. The County Council afterwards required 11 acres of land near the ferry for the purpose of an open space, and they had to pay £5,500 more for that land, because they had established the free ferry. The ratepayers of London, therefore, had first of all to pay the full cost of improvements to the rate collector, and then they had to pay to the rent collector the value which they added to land. The rates

in London amounted to something like £8,000,000 per annum. Without the expenditure of those rates for the purpose of improvements and maintenance there would be no value in the land of London; and yet, in addition to paying £8,000,000 in rates which created the value of the land, the ratepayers had to pay £18,000,000 annually in land rent. Surely it was inadequate to present to the House a Bill which merely transferred from one district to another a few pounds annually of the large amount paid, and left the incidence of taxation precisely as it was now. The County Council had urged upon the Government the absolute necessity of taxing the value of land, which was of far greater importance than the mere distribution of rates according to population. The Government had pledged themselves—and he thought that without that pledge they certainly would never have attained power—to the taxation of those values which were created and improved by the expenditure of the rates. Until this was done there could be no pretence that there was anything like equalisation of rates throughout London. If a park were opened and people wished to live in the neighbourhood of the park, although they had already fully paid the cost of providing it, they found they had to pay an additional £5 or £10 a year for a small house or perhaps £20 or £30 a year for a larger house because of the outlay they, as ratepayers, had made upon the park. The right hon. Member for Midlothian (Mr. W. E. Gladstone) said in reference to the Thames Embankment that the tradesmen and working men of London had paid for that improvement, but that the landlords of London had benefited by it, and that the landlords of London ought to have paid for it. He extremely regretted that he had not had the full opportunity afforded to him to give the Government his cordial support in reference to taxation. He thought that the introduction of this Bill was intended to give the idea that something had been done towards the fulfilment of the Government promises of the adjustment of taxation. As a matter of fact, the Bill did not make the slightest approach towards the fulfilment of those promises, as it did not alter the incidence of taxation in the slightest degree. The Bill altered the distribution of taxation in an infinitesimal

degree, but this did not in any way fulfil the promises of the Government. He did not know whether the Government would have a further opportunity of fulfilling their pledges. They had already had unlimited opportunities of doing so. No one could deny that the equalisation of rates throughout London and the adjustment of taxation were the topics that occupied the minds of the electors during the last election, and he felt certain that the present Government would never have been placed in power if it had not been for these pledges. This Bill did not in the slightest degree approach that. The claim they had always had on the Government for an adjustment of taxation and an equalisation of rates would be the same after the Bill was passed as it was now. Unless the House kept that in mind this Bill would prove an injury to London rather than a benefit. He trusted that the electors and the Government would see that the fulfilment of Ministerial pledges in reference to taxation was a matter of absolute necessity, as far as the ratepayers of London were concerned. He hoped that the Government would give him and others who desired to do so an opportunity of supporting them in an attempt to carry out their promises.

\*MR. BURDETT-COUTTS (Westminster) said, he hoped he would not be accused of arguing this matter upon any local or individual basis if he made one or two references to the constituency which he represented, and which he might be pardoned for considering the most intelligent and enlightened in the Metropolis. At any rate, it was one towards which, he believed, Members of the House might entertain some tender feelings, as they spent so many happy hours within its precincts. He only desired to refer to the district of Westminster as entirely destroying any idea that the basis of the Bill, or the result of it, was to make a rich district contribute in aid of poor districts. The right hon. Gentleman who brought in the Bill included Westminster amongst the rich districts, and it seemed to him (Mr. Burdett-Coutts) that the right hon. Gentleman's knowledge of the constituency must have been confined to walking down Victoria Street. If he had extended his peregrinations between that thoroughfare and the river he would have found a great number of very poor people with whom the



struggle for existence was as keen as in any part of the Metropolis, and who would not be able to get over the cardinal feature of the Bill, which he himself (Mr. Burdett-Coutts) could not get over—namely, that each one of these poor and struggling people would have to pay 2½d. in the £1 extra rating, which would go to relieve better-to-do people in Islington, and in other parts of the Metropolis. He opposed this Bill, because he considered it a very bad, unfair, and unjust Bill, and he believed sufficient criticism had been passed in the House, since the Bill was introduced yesterday, to establish this proposition very amply and fully. He did not propose to go over the various points of weakness or injustice which had been made very apparent in the course of debate. It was extremely difficult at this period of the Debate to say anything that had not already been said; but there were one or two points which, he believed, had not been brought before the attention of the House. The Bill was, of course, founded on the hypothesis that there were inequalities in the local rates. It seemed to him that before that proposition could be properly established they required a re-valuation of property in London. Taking the existing state of things in regard to valuation, it was unfortunate to have this Bill brought in a year before, and not after, the quinquennial valuation. But apart from that, it seemed to him a more complete, a more uniform, system of assessment was urgently needed throughout London, and until they obtained some such system it was impossible to find out what the real burden of taxation upon any particular district was. He (Mr. Burdett-Coutts) would favour an Amendment (which he was quite sure the right hon. Gentleman who brought in the Bill would not accept) that the operation of the Bill should be postponed until some such uniform system of assessment in London had been established. Moreover, in any measure of equalisation the amount of the local rate and especially of the local debt should be taken into consideration. The weak point in the present Bill was that neither of these were considered. A parish might have a rate of 20s. in the £1, and a debt of £1,000,000 sterling; but unless its population was greater and more dense than the population of neighbouring parishes, it

would receive no relief. If financial relief was to be given to any parishes it should be given to those where the expenditure was large, the rate high, and the debt considerable, and not to those in which one could count most heads. There was another point of great importance with regard to the Census if the basis of population, which was the worst conceivable, was to be taken. In common fairness there should be a special census for London for the purposes of dealing with this question, and it should not be a night census, at least in the central parishes. The last Census was taken upon a holiday, and was altogether misleading so far as the West End was concerned. For instance, the parishes of St. Margaret and St. John had a population nominally of 55,000 to provide sanitation and roads for. The real population for which they had to provide was more than 100,000. These figures had been carefully computed, and it seemed to him (Mr. Burdett-Coutts) very unfair that the provision for relief in this Bill should rest upon such an unsound basis. Of course, the City supplied a still more glaring instance of this unfair computation. There was another point in connection with this question of population. The Census took place every 10 years. The rating was, of course, altered every year. Now, it was quite possible that a parish which was now overcrowded might greatly alter and decrease in population, and yet the fact would not be established, as bearing upon the relief given by this Bill, until eight or nine years had passed over. He did not want to trouble the House with mere theories. He would state a fact. In Westminster, the site of Millbank was to be devoted to the erection of model lodging-houses, barracks, &c. This would mean an increase to the population of Westminster of from 4,000 to 5,000 souls. This increase would not be taken into account until the year 1901; but every year the rateable value in Westminster increased by £20,000 a year. Therefore, while Westminster (which he only mentioned for the purpose of illustration) was deprived of the aids to which it would be entitled by reason of the increase of population, it would be mulcted on its increased rating more and more every year in sums which would be given to parishes whose populations might be decreasing, and where the need might be much less than in the parish or



district from which the money came. He thought that, for the purposes of this Bill, a Census should be taken every year. He believed the whole principle of the Bill was a bad one. It seemed to him local government was only conducted with economy, because those who spent the money were responsible to those who found it. This Bill violated this cardinal principle of local government. He (Mr. Burdett-Coutts) could suggest to the right hon. Gentleman who introduced this Bill one or two ways in which the Government might have rendered good service to the ratepayers without introducing a scheme so full of unfairness and injustice. They might have given to London the £166,000 on account of Probate, Customs, and Excise Duties, and £6,000 on account of criminal jurisdiction, which Mr. Gomme, the statistician of the London County Council, had estimated London was entitled to receive. This would have gone far toward raising the sum of £200,000 provided by this august Bill. He (Mr. Burdett-Coutts) would venture to suggest another method. It might possibly be said this method would bear more favourably toward the district he represented than toward any other. But it might be news to some hon. Members that Government property was rated in an entirely different manner from property in the occupation of ordinary tenants. For instance, the value upon which the Government contributed to the rates of Westminster was £53,000, but the value of their property was over £200,000. He would give a special illustration of this under-valuation of Government property. On one side of Bridge Street (the Government side), Government property was valued at £300 an acre, and private property on the other side at the rate of £17,000 an acre. That was an extraordinary difference. The Treasury buildings in Whitehall were paying on a value of £4,600, whereas the County Council valuer had estimated the value of the site alone, as distinct from the buildings, at more than double that sum. Surely the Government might turn their attention to the need of some readjustment of the principle on which they paid rates on their own property. The whole principle of the Bill, he repeated, appeared to him to be destructive of the real principle of local government.

Local government, so far as he understood it, implied the raising of money from a certain set of individuals to be expended for the benefit of those individuals, and by representatives who were responsible to those individuals. If, on the one hand, they took money which was contributed by certain people out of the control of those people, and if, on the other hand, they placed in the hands of a Local Authority money which had been contributed from a source to which they were not responsible, they seemed to be violating the cardinal principle of local government. He (Mr. Burdett-Coutts) envied hon. Members who, representing constituencies and districts which would receive a benefit under this Bill, had been able to get up and oppose the Bill. These opportunities of heroic self-sacrifice before an appreciative audience were so rare and so attractive that he would gladly have supported the Bill—although he represented a district which was heavily mulcted by it—if it had been a fair and just Bill. But he was strongly opposed to it, because he considered it unfair and unjust, and a Bill, he could not help thinking, that had been brought forward for other purposes than those of the relief of the ratepayers of London.

\*SIR J. BLUNDELL MAPLE (Camberwell, Dulwich) said, he agreed entirely with the last speaker that this was a useless Bill in dealing with the taxation of London. Though his constituency would receive one of the largest sums of money under the proposal, the scheme was, in his opinion, altogether wrong, and the gauge to be used for estimating the proportion of the grant to be made to the different districts was one that ought never to have been adopted. What had the number of the population of a district to do with the question of the maintenance of the streets, and such matters as lighting and paving. They were told that there was no other gauge by which to arrive at the proper amounts to be received by each district. It was certainly time that they should have a better equalisation of rates, and he had no objection to the proposal that a common fund should be formed out of which to defray the sanitary, lighting, and paving expenses of the Metropolis. The proposed rate of 6d. in the £1 was not unreasonable, nor would the fund thus formed be any too large for the purposes for which it was to

be applied. There were other means by which the desired object of the Bill could have been carried out. A very simple way of arriving at the amount to be received by the different parishes would be to take the returns of each parish of the amount expended respectively on sanitary work during the last 12 months. The figures so obtained could be treated as the basis upon which grants should be made. A sum could then fairly be allotted from the main fund to the districts thus shown as needing the grant, and any adjustment that might afterwards be necessary could be made at the quinquennial valuation. The Bill was evidently brought forward to help some parishes which were suffering a good deal from the rapid increase in their rates, and no doubt a more equal distribution of the burdens of London was necessary. No reason, however, had been brought forward by the Government to show the necessity of at once proceeding to equalise the rates, and it would best perform its duty by re-organising the taxation of London. This was clearly a "haste" Bill. If the plan he had suggested was adopted, an Instruction could be given to the Committee to distribute the fund in proportion to the cost for sanitary work that had been incurred by each parish that could claim it for the year ending April 6, 1894. No extra cost would be incurred under that plan, and a far more just distribution would really be made than could be the case if the distribution were made on the proposed population basis. A readjustment could be made every five years. There would be more sense in that arrangement than in the proposal of the Bill, which did not provide for a census being taken for the purposes of estimating the grant, and therefore it would have to be calculated on the out-of-date returns of the Census of 1891. Nothing improved the value of property in a neighbourhood more than a perfect system of lighting and paving, and whatever sum was spent in that way by the Local Authorities was got back again by the increase in the rates which the enhanced value of the property gave. In 1881 the number of persons who slept in the City of London was returned at 50,000; in 1891 that number had fallen to 37,000. Surely no one could argue for a moment that the cost of maintaining the streets of London

was less now than it was 10 years ago, and yet the City was to receive a quarter less. Therefore, it seemed to him that to base the proportion of the fund on the returns of the persons who slept in a particular district was absurd. That fallacy was equally obvious when the test was applied to outlying parishes, where the major part of the working population left in the day to attend to their business, for it certainly could not be said that their return home in the evening materially increased the cost of maintaining the streets. If the test he had suggested was substituted for that of population, then he thought that not only would the Bill be a useful one to Londoners, but that the scope of the Bill should be extended so as to deal directly with the whole expenditure of the rates. Members on that side of the House hoped that when the Government brought in a Bill dealing with the question, it would have been a practical measure that they could have supported on its merits, instead of the present absurd proposal, which seemed to have been framed solely to please certain members of the London County Council, whose constituencies would considerably benefit by this particular method of calculation. The idea of equalisation of rates had been accepted on that side of the House, and he had not heard of a single Member of the Party to which he belonged who did not acknowledge that something should be done in that direction; but all were agreed that the subject was one that should be carefully considered, and those who had spoken against the Bill had done so because they felt that the measure would in no way meet the difficulty. It would, in fact, make things worse than they were at present. He was surprised that a Government that boasted so much about being trusted by the people did not dare, in return, to trust the expenditure of the fund to the London County Council, or some other important body, and leave it with them to see that it was honestly and properly expended. Unless an assurance were given that the Government intended to alter some of the provisions of the Bill, he should certainly vote against the Second Reading, because, as he had said, he believed that the Bill would do more harm than good, and would delay rather than advance the reform in the present system of London

*Sir J. Blundell Maple*



rates which they desired so sincerely should be carried out. He trusted that the Party to which he belonged would make it thoroughly understood that they accepted the idea of the equalisation of rates, though they did not believe in the question being properly dealt with by such a Bill, which was founded on a bad gauge and an improper division of the money to be devoted to these purposes.

MR. GOSCHEN (St. George's, Hanover Square): A good many references have been made to myself in the course of this Debate—references of a double character. Allusions have been made to my being the Representative of St. George's, Hanover Square, a parish that will have to contribute £30,000 to the proposed fund, of which £20,000 is going to be handed over to Islington; and, in the second place, references have been made to me as one who has dealt in former times with the equalisation of rates, and as one who has claimed to have been—and who ventures to claim that he is still—a reformer with regard to municipal finance. If hon. Members think that my double capacity as Ex-President of the Poor Law Board and Representative of St. George's, Hanover Square, places me in a position of difficulty, I can assure them that that is not the case. To deal first with the personal reference, I may say that I had the honour to pass the Act of 1869, which I am glad to think has relieved the parish of Bethnal Green by 2s. 7d. At that time I was a Member for the City of London, which contributed a very considerable portion of the amount which was then distributed among the poorer parishes in the Metropolis. As at the time when I was a Member for the City I was able to view the situation with an open mind, so I trust, as Member for St. George's, Hanover Square, I shall be able to take a broad and open view of this or any attempt to reform municipal finance. We have had in the last two days a novel and, I think, a refreshing experience. We have had a real Debate on the question. It has not been a Debate, like too many we have had of late, where the discussion has been mainly confined to one side. But Members from all parts of the Metropolis have felt that here was a question in which their constituencies were interested, and in which their duty to their constituents required them to interpose. I congratulate the House on that

fact, and on the further fact that, though in this Debate it may have been said that wealth and poverty are opposed in the consideration of the question, we have had no reproaches flung to and fro with regard to the selfishness of the one or the greediness of the other. Though we have argued the matter with reference to the particular gain or loss of particular constituencies, nevertheless the question of administration has been kept to the front in the bulk of the speeches. I hope, however, hon. Members will turn their attention to this point—that the gain to these constituencies will be a loss to the Metropolis, and ultimately to those constituencies themselves, unless the Bill so hedges round the expenditure of the further funds placed at their disposal as to secure increased efficiency and the proper disposal of the money. There is no point in the Bill to which wise criticism can be more profitably directed. No security whatever is taken in the Bill to secure increased efficiency or even to secure that the money which is intended for purposes of sanitation should increase the efficiency of that sanitation. That is a great defect in the Bill. Now, Sir, the Debates of 1869 have been referred to. In 1869 the extension of the principle of a common burden imposed for the metropolitan poor was carried out. It was said that in those Debates exactly the same things were said as were being said to-day; but as the responsible Minister of that day I used different language from that which is used by the right hon. Gentleman opposite. The hon. Member for the Cirencester Division of Gloucestershire, who made an able speech, quoted the actual words which I then used, and the word "control" is in the passage. The word "control" was prominent in those Debates, because in imposing additional burdens on the richer parts of the Metropolis it was the aim of the Administration of the day—an aim in which they have been successful—that the further burden placed on the wealthier parishes should have the effect of raising the Poor Law administration. I shall have to examine the Bill from that point of view, and to ask what securities we have in this respect in the measures before us. I think it is satisfactory that there has been a general agreement on both sides of the House that further equalisation, properly carried out, is desirable.

There has been no opposition to this principle from any hon. Member on this side of the House, and I am far from being an exception. I admit the fact that there ought to be no further equalisation; I admit the fact that the passing of the Public Health Act, imposing higher requirements as to sanitary affairs, has placed a burden upon the poorer parishes of the East End with regard to which they may fairly look for some assistance. I acknowledge that, and I acknowledge, with other Members, that the question of the sanitation of London is not a local one for any particular district. Disease in any part of the Metropolis—in the East End or in the poor parts of the south side of the river—is a matter of Metropolitan concern; therefore, as regards the general objects of further equalisation with regard to sanitation, I say, as representing one of the wealthiest parishes of the Metropolis, that I am with the House in general; and I am glad that hon. Members whose constituencies will be hit by this scheme have not shrunk from declaring that they, too, will be prepared to advance in the direction indicated—of assisting the poorer portions of the Metropolis in carrying out sanitation, if all such securities are taken as can be taken with regard to the case of the Poor Law. The House will see that I have insisted on control. It is essential that we should look at the Bill from that point of view, and it will be seen that from that point of view it is thoroughly defective. I pass now from the general question to the consideration of some points raised by the right hon. Gentleman in charge of the Bill. He devoted a considerable portion of his speech to bringing before the notice of the House those inequalities in rating with which we are all familiar. It is admitted that those inequalities exist. In some parishes the rates reach beyond 7s., and in others they sink to 4s. In explaining the reasons of those inequalities, the right hon. Gentleman referred to a point which has excited some interest in the course of the Debate, and that is the unequal valuation which he believes to exist in different parts of the Metropolis. Hon. Members on both sides of the House seem to have admitted that the present system of valuation is not fair. I regret it is not perfect, but I can assure hon. Members that the present system of valua-

tion is now perfection when it is compared with the state of things 20 or 25 years ago, when the Government of which I was a Member passed a measure affecting the valuation of the Metropolis. That was an honest and, on the whole, a fairly successful attempt to secure a generally fair valuation of the Metropolis. There was one point in the measure which was criticised at that time; the surveyor of taxes was brought in, and he was to have a voice, so that he might be sure that there would be no undue exemption with regard to valuation in any parish. I should have thought, considering that surveyors of taxes are men of considerable ability and severity, they would have seen that in every parish the valuation had been raised to the proper height, and I was surprised to hear the right hon. Gentleman holds that so much requires to be done. But if much has to be done, then the proposals for further equalisation of rates should be accompanied by provisions introduced not by the County Council or by a private Member, but on the responsibility of the Government, dealing with valuation and securing that uniformity which is essential if we are to make progress in the direction of equalising the rates in the Metropolis. If you wish to do this, while at the same time holding out the differences of rates as they affect the poor, you are bound to remove all imperfections which decrease confidence in the figure of that rate per £1. If valuations are imperfect, of course comparisons as to the rates in the £1 are useless. The second point is this, How far is the apparent inequality in rating due to the system of compounding? There, again, I say, if there is to be further progress in the direction of equalising the rates, it will become a question for Metropolitan Members to consider whether that system of compounding should not be so revised as to secure much greater uniformity than at present exists in the different parishes. I think it is essential in London to continue the system of compounding; but it cannot be right that in two parishes contiguous to each other allowances of a totally different character should be granted to the owners of property. Is it not time, looking at the period which has passed since the Compounding Acts were passed, to consider in the interests of the

parishes and of the ratepayers themselves whether the gain given to the owners is not larger than the risks which they have taken on their shoulders in the parishes? I do not know whether the matter has ever been investigated with regard to the 30 per cent. which has been mentioned, but it would be interesting to ascertain whether it is, in practice, worth the while of the parish to give the present percentage to the landlord who compounds for his rates. That is a point which deserves the attention of this House. I am bound to say that I am astonished at the information that has reached me upon this subject. My information is to the effect that in a district like Bethnal Green out of some 15,000 houses 13,850 are compounded for, and that in consequence the landlords of those compounding houses pay 25 per cent. less rates than the nominal amount of the rates. Thus the total amount of the rates actually received is less by nearly one-quarter than their nominal amount. Therefore, I want to ask whether, in the districts where compounding prevails, will not the owner and not the occupier profit by any relief that is given to the rates? In Bromley, for instance, where 8,000 out of 9,000 houses receive an abatement, the actual rates paid represent 5s. 10d. in the £1, instead of the nominal 7s. in the £1 at which the parish is assessed. Again, in Poplar, the rates paid are less by 15 per cent. than the amount of the assessment. I say that to contrast the nominal amounts of the rates of such parishes with those of the parishes in which compounding does not exist is to compare like with unlike, and is misleading this House. In approaching the question of the equalisation of the rates we ought to be careful to see that both valuation and compounding are taken into account. I do not think that there can be any difference of opinion among hon. Members who represent Metropolitan constituencies with regard to the two subjects of valuation and compounding. I now come to another question, which has been suggested to my mind by the consideration of the principle of compounding—it is an old question, which has often been discussed in this House—I mean the question of who pays the rates. That is a question which, in considering the subject of the

equalisation of rates, cannot be put out of sight. It has been admitted by every speaker, with one exception, that this is a Bill intended to relieve the ratepayers and not owners. But it has been stated generally on both sides of the House that it is occupiers and not owners who are interested in the amount of the rates. It is now some 20 years since I contended in this House that, in parishes where there is a demand for house property, the owner, even where compounding exists, is able to get from the occupier the main portion of any increase which may be made in the rates. ["Hear, hear!"] I hope when I come to another view of this subject by-and-bye none of the hon. Members who say "Hear, hear" to that proposition will endeavour to slip away from it, because, if it be true that the occupier pays a considerable portion of the rates, it is the occupier and not the owner who will have to pay any increase in the rates. In that case it is the occupier, and not the owner, who will have to contribute towards any increase in the local burdens of the Metropolis. This is a very serious matter. It is a very poor consolation to an occupier who is asked to pay increased rates that, inasmuch as his owner is exacting a high rent from him, he is living in a wealthy parish. I hope I have made my point clear. It is because his rent is so high that he is asked to pay higher rates in order to relieve those whose rents are lower and whose rates are, therefore, lower. In seeking to equalise rates, therefore, if great caution is not exercised great injustice may be done, because those who are compelled to pay high rents may also be compelled to pay increased rates, which will go to relieve those who for the same amount of accommodation pay lower rents and, therefore, lower rates. This shows the difficulty inherent in the whole case. If the principle of this Bill were pressed too far all the occupants of the smaller class of houses in the so-called richer districts of the Metropolis would be penalised. In the case of St. George's, Hanover Square—the House will, perhaps, pardon me for introducing in this discussion the case of my own constituency—there are occupiers who are in a worse position than a similar class in any other part of the Metropolis. Out of a total of 12,300 houses

in that district 5,800 have a rental below £50 a year. In Kensington, out of 23,000 tenants, 13,000 are below £20 in value. A struggling tradesman who has difficulty in earning his livelihood pays £60 a year rent for a house and shop in St. George's, Hanover Square, which he would only have to pay £45 a year for in another part of London. Although his rates are nominally less than in other Metropolitan districts, he will, taking that rate at 5s. in the £1, have to pay £15 a year in rates, whereas in another district the man whose rates are, say, 6s. in the £1, and who pays only £45 a year rent for the same accommodation, will only pay £12 a year for rates. Every hon. Member who represents a Metropolitan constituency ought to bear that fact in mind. Every artisan or small tradesman who lives in St. George's, Hanover Square, or in Kensington, will have to pay heavier rates under this Bill than similar classes will have to pay in happy Islington, while they have the disadvantage of paying a higher rent to their owners. See how that must come home to the struggling tradesman when he has his rates raised 4d. or 5d. in the £1, especially when the tradesman in Islington gets a reduction of 3d. in his rates, and at the same time pays a much lower rent. I have ventured to call attention to this point not merely as the Representative of St. George's, Hanover Square, but in the general interest of the Metropolis. It is our duty, while endeavouring to do justice, to be extremely careful that we do not perpetrate a new injustice in seeking to bring about equalisation. I now turn to a different point. We have in the past generally proceeded on the principle of equalisation where there was the double condition of a common purpose and a common necessity, and on the other side the possibility of control and security against extravagance. We have gone in the direction of a common poor fund, or of a common fund by which the poorer districts could be relieved; we have centralised in dealing with such matters as lunacy, education, police, and fire brigades; but in all those cases you have either got the control of a central authority, like the Local Government Board, or you have a central authority like the County Council; or you have taken precautions that there should be no excess by limiting the assistance of the

Poor Law. There is no precedent—and here I take exception to the Bill—where there has been a grant in aid unaccompanied by any precautions in the Bill for the scale of expenditure, for efficiency, or, in fact, for any expenditure at all. Therefore, I say that I hesitate very much to accept a precedent of this kind. I now pass from Poor Law purposes to municipal purposes, and here I find that there are three points to consider in connection with the Bill—the mode of distribution, the purposes to which the money is to be applied, and the authorities who administer it. All these are, as hon. Members will see, extremely important points. A matter which has been very fully discussed, and which requires discussion, is whether the test of the population is a fair test. The right hon. Gentleman the President of the Local Government Board has been driven to the population test by his inability to find any other. I frankly admit that it is an extremely difficult thing to find a method of distribution at once just, safe, and wise. The late Government, when they had occasion to look into the matter, examined the test of population, and were convinced, with the best means at their disposal to assist them, that the test of population would land us in every kind of anomaly. We did not, therefore, accept the population test. This Debate has, moreover, proved conclusively that, whatever kind of test might be applied, the population test, taken by itself, must break down. So much has been said on the subject that I will not dwell long on the question of population. The hon. Member for St. George's-in-the-East spoke of the numbers of people who had been “thrust forth” from certain parishes, and he said that my own parish had thrust forth its population to the extent of 10,000, while the City had “thrust forth” 13,000; and the hon. Member urged that those districts which had so thrust forth large numbers of their population ought to be penalised. I should like the House to hear the state of my own constituency. The Census of 1891, I would remind the House, was taken on the first Sunday after Easter. You could not have had a worse day as a test. Many residents were away from London, not having returned from their holidays. Moreover, the larger houses in my district are occupied by



persons whose residence in London is chiefly confined to the London season. To base a test upon that Census would be extremely unjust to the poorer parishioners. In 1871 the population of St. George's, Hanover Square, was 89,000, and between that time and 1881 it was practically stationary. But in 1891 the figure was only 78,000—an apparent decrease of 11,000. The medical officer for the parish states, however, that he knows no reason for believing that such a decrease in population has really taken place. A large number of persons are out of town on a Sunday, and, the day chosen being the Sunday after Easter, many of the inhabitants had not returned from their holidays. This shows the danger of accepting the Census taken on that particular day as the standard for distribution. There had, no doubt, been large clearances, but there are now large constructions going on, under the auspices of the Duke of Westminster, where thousands of the working classes will come in a year or so—some have already returned—and these poor people will find that they will have to pay a higher rate than before owing to the passing of this Bill, and simply because the Census was taken before the dwellings were erected. The Member for St. George's-in-the-East also spoke of the City having “thrust out” a great many persons. What is the cause there? The language used by the hon. Member and others jarred upon me considerably. They spoke of magnificent buildings displacing the artisans and the working classes. Why are those buildings magnificent? It is in order that the *employés* who work in them should be enabled to enjoy, in a greatly increased degree, the comforts of civilisation. It is to the public spirit of their employers that the construction of these better buildings is due. Great clearances have been made in the City for a great railway station. Do hon. Members opposite represent that if a Railway Company is obliged to make a clearance in order to obtain facilities to bring into London large numbers of artisans and others, and to enable the workers in the Metropolis to pass to and fro freely to their work and to their homes, that then the richer toilers are “thrusting forth” their poorer fellow-labourers? All this is to the advantage of commerce; and the

advantage of commerce is the advantage of the poorer population. It is to the advantage of everyone in the City that that there should be proximity and accessibility to all the various centres of activity. I have thought it right to animadvert on this line of argument, because I do wish that the County Councillors would not act and speak in the interest of any particular class, but would remember that they represent the Metropolis as a whole. I wish that they would rise to a more general conception of what is in the interest of that great Metropolis which they represent. It is said that the night population is sufficient for the purposes of calculation, and very curious arguments have been addressed to the House to-day on the subject. Do you accept the principle of the population test for all purposes? No. In some cases you do not, because in some cases that test would not give you money enough—if you were to take the day population of the City, for instance. I really think that the instruction given by the Government to the draftsmen of this measure was to prepare a Bill so that the City should have to pay £100,000, and St. George's, Hanover Square, a proportionately large amount. You talk of sanitation. Do hon. Members opposite admit that the persons who frequent the City by day require sanitation? I presume that you would admit that bad drains and smells would kill the day population just as much as it would kill the night population. Then you ought to regard the matter from the point of view of what is the necessary sanitation for a great city, looking to the vast population of that city. The paving of the City and the lighting of the City are of great interest to the day population. It is not for the sake of the caretakers and night population alone that these things are necessary. I am taking the broader ground: Is the principle of population generally to be adopted? On what ground is it to be adopted? And, if it is to be taken as the test, will you not have this difficulty: that you will find that the most overcrowded districts will be the lowest rated? and it is just to those districts that people will flock. There are two kinds of poverty in the Metropolis. There are two kinds of poor districts to be considered; the first are the districts which receive all the waifs

and strays of the Metropolis, the districts to which the decayed members of the population flock from all parts, and which are undoubtedly overcrowded; and the other parts of London, which also deserve your consideration, are those where the population is falling off owing to want of prosperity, and where the tradesmen see that there are no customers who flock to their shops, and that the streets are comparatively deserted, because their industries have passed away from them. Yet the streets have to be lighted and paved as before. It is just these districts that will be badly treated under this Bill. I hope the House will admit with me that in arguing the matter on the grounds that I have chosen I have not brought myself within the complaint made against some hon. Members, that they have argued the question in too much detail. So far as I go I have not attempted to go into the matter as a question between one constituency and another; but I have attempted to show that the principle of population is a dangerous one to introduce for the first time, because, if you accept a principle of this kind in an emergency and with a desire to meet a temporary demand for relief for poorer districts, it is then made a precedent for the future, and you are told that the House has already accepted the principle. Against that principle we shall protest to the last, and we shall continue to do so in Committee, if this Bill reaches Committee. It is a matter of the deepest importance. It need not involve Party strife or contention between different parts of the Metropolis, but still the principle is a dangerous one to introduce. Considering the number of examples that have been given by other speakers, I will spare the House more than one illustration. Fulham now has a rate of 6s. 9d.; it gains 3½d., and that will reduce the rate to 6s. 5½d. Camberwell is less highly rated; its rate is 6s.

MR. E. H. BAYLEY: No; 7s. at the present time, and it is still rising.

MR. GOSCHEN: Possibly; I cannot say for certain; and Fulham may be rising too; but for purposes of comparison we must take the same year for all. The House must deal with the figures placed before it.

MR. SHAW-LEFEVRE: I used in all cases the figures for last year, and the rate for Camberwell was then 6s. 6d.

*Mr. Goschen*

MR. GOSCHEN: If it were 6s. 6d., it was still 3d. below Fulham; and it gains 4½d. as against 3½d. gained by Fulham. Camberwell ranks second with Islington in the successful raid upon the other parishes of the Metropolis. Somehow, it is not conveyed to me that Camberwell is so poor as Bethnal Green; but Camberwell, by some fortunate circumstance, is a parish which, like Islington, will draw largely from others. I have other instances, but the case of the anomalies has been so fully stated that I will not trouble the House with any more remarks upon them. I pass from the test of population, and the curious results of the application of the Bill, to the objects for which the money is required—sanitation, lighting, and paving. We are quite prepared to admit that those are very desirable objects to promote. The President of the Local Government Board quoted the language I used in 1869, to the effect that not only should there be relief of burdens, but that there should also be better administration. Well, I want to know what security is taken by the Bill that there shall be better sanitation, lighting, and paving. There is no protection in the Bill for the proper expenditure of the money. It is simply handed over to the Local Authorities to reduce their rates; that is admitted to be the primary object. If there is to be better sanitation, you ought to take some security for the spending of the money, as you have done in almost every analogous case. This is the first time it has been proposed to hand money over without any inquiry as to how it is to be spent. No power is given to the Local Government Board; and the Local Authorities may simply receive the money and allow everything in sanitation, lighting, and paving to remain just as it is. We are not content with that. I have another complaint against the Government, and it is that they have not told us how much is spent upon these objects by the Local Authorities. I believe the members of the County Council have some figures on this point; but other members have not. There is one Return in which the County Council show how much in the £1 on the rateable value is spent by the Local Authorities; but that is not to the point. It strikes the imagination, but it does not

inform us of the amounts; and I hope the Government will give us a Return of the amounts spent by the different part of the Metropolis. If this money is to be given, it will be absolutely necessary, by Amendments in Committee, to devise means to secure that the objects avowedly aimed at shall be attained. We cannot leave the Bill as it is, and hand over money without any security whatever. I admit to the full the extreme difficulty of devising a satisfactory scheme, but that difficulty is enhanced by the fact that we have not the necessary information before us on which to found our Amendments. If we knew what was the expenditure upon the objects stated we might see what arrangement can be made to carry out the general object of the Bill. So far as I am concerned, I should prefer that the Metropolitan Common Poor Fund should be taken as a precedent. We have to get over the difficulty of retaining local management in conjunction with the control of some central body. I would lay it down as an absolute proposition, with which I think the President of the Local Government Board will agree, that we must concentrate our contributions upon the objects stated. I cannot agree with the hon. Member for Islington that the money should be distributed according to the best discretion of the County Council. If it were, I would not wish to be a member of the County Council; it is too delicate a matter to confide to any elected body.

**MR. BARTLEY:** I safeguarded the suggestion by saying that the principles on which the money was to be distributed should be laid down in the Bill.

**MR. GOSCHEN:** As to laying down distinct principles in the Bill, that is a point to be argued; I should not reject the proposal, but I would examine it narrowly. What is essential is that we should know on what the money is to be expended. We should examine how far the expenditure in some parishes is on the same basis as the expenditure in others. Where, as in St. George's, Hanover Square, the expenditure is so much higher than in other neighbourhoods, I should inquire whether that is due to something like extravagance or munificence, or to the necessity of the case; and in the case of Bethnal Green, where it is alleged they spend too little, I would

examine how far they cannot afford to spend more, or whether it is on account of the need not existing. Just as in the case of the Poor Law we had all the facts before us, so here we ought to know what is the expenditure in each locality, and then we should see how far it could be equitably apportioned. I would bring my remarks to a conclusion by a suggestion which the President of the Local Government Board might see my observations lead up to. It is that we have not sufficient information to enable us to legislate clearly upon the subject. It is extremely late to ask us to undertake to legislate at all. We are not against the principle of equalisation, but it would be necessary for us to endeavour to reconstruct almost every clause of the Bill. This is a task which I think is a very difficult one, and what I think would be a fair compromise on the part of the right hon. Gentleman is that, if this Bill is read a second time, we should have a Select Committee at the very beginning of next Session to examine into all the points involved.

**\*SIR C. W. DILKE** (Gloucester, Forest of Dean) said, that the speech of the right hon. Gentleman was one of extreme interest and also one of great value, as all his speeches on rating questions were. What the discussion, however, had failed to produce had been an alternative plan. The criticisms which had been showered on the Government proposal had, he admitted, been somewhat damaging on points of detail, but they had yet to hear that any plan could be produced to which equal objections could not be raised. He ventured to say, from his knowledge of the Common Poor Fund, that if it had been debated with the same minuteness when it was first brought in, even greater holes might have been picked in the principle on which that fund was established. The right hon. Gentleman insisted on more information in regard to expenditure, parish by parish, on lighting and cleaning, and so on. The Return, however, annually laid before this House of Vestry expenditure showed everything that could be shown in that connection, and everything that could be got. Some rather wild schemes had been thrown out in the course of the Debate. One hon. Member suggested a graduated rate according to the extent of valuation of property—a system which prevailed in the



great towns of France, but had never been attempted in this country. But in London there was a hardship which would be produced by anything like graduation of rates on poor districts, and that was that the publicans already paid, as he thought, an undue proportion of the rates in London, and graduation of rates in the poorer districts would throw almost the whole increase of rates on the back of that one class of the community. One would find streets of houses with a general rating value of £36 and £38, and suddenly come to a figure of £400 or £500—the latter being a public-house, rated on its value not as a house, but as a business. It was suggested that the whole sanitary rate of the Metropolis should be one and uniform, and that the County Council should be absolutely despotic as the Sanitary Authority of London. That was a startling suggestion to come from the Conservative side of the House, and I cannot imagine that any such proposal has the least chance of being adopted. And it is curious that such a suggestion should be thrown out at a time when a Royal Commission is proposing to chop London up into eight new districts. I believe both proposals will be rejected when they come to be fairly considered, and, therefore, what we have to do is to make the best of the existing districts. The great majority of the speakers have suggested that the money should be paid to the different districts for services rendered, but the most extraordinary anomalies would result from the application of that principle.

MR. GOSCHEN: So far as I am concerned, I said that every one of these cases would have to be examined to see what the anomalies were in order to reduce them to a common denominator. I said that it was only a common denominator that should be treated as a central expense. I only threw out a suggestion.

\*SIR C. W. DILKE: The right hon. Gentleman did not commit himself, but so many speakers have laid it down that we should be safe in paying for services rendered, that I venture to point out the extraordinary result of that proposal. The City of London, for example, would receive under that system, while St. George's-in-the-East would pay. Hampstead, which is a rich district, would receive; St. James's, Westmin-

ster, would pay heavily; and St. George's, Hanover Square, would pay more heavily than under the present Bill. Therefore, you would not be able to say that under that system you would be giving to those who have most—though that would be the case in some districts. Great anomalies would be created all over London. The right hon. Gentleman who has just sat down towards the close of his speech, examined certain individual cases, and took the case of Fulham and compared it with Camberwell. The principle of this Bill is that of a ratio per head of the amount of the assessment to the population. That is the test, and taken by that we find that Fulham having a higher valuation per head of the population than Camberwell certainly is not in so favourable a position as Camberwell under the Bill, though they are both receiving. That is the natural explanation. The case of Islington has been dealt with in every speech made against the Bill. I think we must admit that under the Bill the case of Islington is to some extent an anomaly, and it is possible that in Committee some suggestion may be thrown out for dealing with it as an extreme case. The broad ground upon which I think the proposal of the Bill can be supported is that all the poorest parishes will receive and all the richest parishes will pay. Of the rich parishes that will pay not one will by its payment be raised above the average rate of London, while of the poor parishes that will receive hardly one will be reduced below that average rate on the figures of this year. That is a great removal of anomalies as far as it goes, and it seems to me as nearly perfect as any system likely to be devised. As to one or two poor parishes, we shall find that their rates will be lower than the general average. I may express a hope as to those parishes that as their sanitary expenditure at the present time is not high they may be induced to spend a little more in the future. The right hon. Gentleman doubts whether, in the absence of control, the poor parishes that will be aided will spend more on sanitary purposes in the future. But a certain measure, not of control, but of publicity, has been introduced by the system under which the County Council, on condition of receiving a full report,

*Sir C. W. Dilke*

pays half the salary of the medical officers in the different districts. This publicity gives a certain control—a newspaper or Parliamentary control, if you like. The right hon. Member for St. George's, Hanover Square, inclines towards the extension of the principle of the common poor fund. I have had something to do with the administration of that fund, and would like to give the House some reasons for pausing before extending that principle. The Common Poor Fund involves a very large amount of central control. It is obvious that you must have it, otherwise it would be to the interest of every parish to plunge its hands into the pockets of its neighbours and spend as much money as possible. If you have a common fund you must have a large central control. That control is carried to a point that is almost ridiculous. The smallest possible increase of salary must receive the consent of the Local Government Board. Indeed the control is so close that it is somewhat obnoxious to the self-respect of those who serve the Boards of Guardians, and now that these bodies are to be elected on a wide suffrage, that control will be bitterly resented and will lead to sharp conflicts with the Local Government Board. But although that control is so severe it is often an illusory control. Many officers of Boards of Guardians spent a great deal of their time in considering the best means of evading it. Constantly Boards of Guardians, sitting with closed doors, discuss among themselves in the most open manner means of evading the control which, in the interest of the Common Poor Fund, the Local Government Board is obliged to exercise. When there is a question of raising a salary this is invariably the kind of conversation that takes place: Someone says—this being a salary coming out of the Common Poor Fund—"We could get a man for £250 a year." Someone says, "Such and such a parish pays £400." At once someone says, "Let us pay £400; we may get a better man than we could get for £250, and as we only pay one-fortieth ourselves of the difference between the two amounts we will take the higher figure." That is to say, that every parish pays the highest sum it can by any means persuade the Local Government Board to allow it to pay. I admit that the Common Poor Fund has contributed to

efficiency, but, on the other hand, it has contributed enormously to extravagance, and to the breaking down of the principle of self-government, and I hope the House will pause before extending the system. The scheme of the Bill is, in view of the great difficulties of the case, the most excellent that can be devised, and I shall give it my hearty support.

THE CHANCELLOR OF THE EXCHEQUER (Sir W. HARCOURT, Derby): I rise to make an appeal to the House now to come to a decision upon the Second Reading of this Bill. Everybody feels that there has been a very full, and certainly quite an adequate, discussion of this subject. The announcement of the right hon. Gentleman opposite, who speaks on this subject with well-deserved authority, that he does not desire that a Division should be taken on this Bill, indicates that the time has come when the Second Reading should be allowed to pass in order that it may go into Committee, when the Amendments that he has indicated may be considered. I make this suggestion at this moment because there is on the Paper a notice to refer the Bill to a Select Committee. Of course, the Government could not assent to that, but I am sure I shall speak with the assent of the right hon. Gentleman opposite when I say that if that Motion is to be made it ought to be disposed of this afternoon. When the Second Reading is disposed of the field will be clear for proceeding with that matter. Everybody seems to agree that the Bill should be dealt with in Committee as soon as possible.

Mr. BOUSFIELD and Mr. A. GIBBS rose to continue the Debate, when

Mr. SHAW - LEFEVRE rose in his place, and claimed to move "That the Question be now put."

Question, "That the Question be now put," put, and agreed to.

Question, "That the word 'now' stand part of the Question," put accordingly, and agreed to.

Main Question put, and agreed to.

Bill read a second time.

Motion made, and Question proposed, "That the Bill be committed to a Committee of the Whole House."

\*SIR J. GOLDSMID (St. Pancras, S.) said, he wished to move—

"That the Bill be committed to a Select Committee composed of all the Members who represent London constituencies, together with Fifteen other Members to be nominated by the Committee of Selection, and that the Committee be subject to the provisions of Standing Order No. 47 so far as they are applicable: that the Chairmen's Panel nominated under Standing Order No. 49 do appoint one of their Members to be the Chairman of the Committee, and that the provisions of Standing Order No. 50 do apply to the Bill when reported by the Committee."

This proposal was founded on the course which had been adopted by the Government in the case of the Scotch Local Government Bill. What was good in such a case for Scotland, the population of which was less than that of the Metropolis, could not be bad for London, which was really the most important part of the United Kingdom and the centre of its Government. The proposal in the case of the Scotch measure was made by the right hon. Gentleman the Secretary of State for Scotland in a speech which he (Sir J. Goldsmid) had in his hand, and which it might be possible in many respects to parody in order to support the present proposal. The right hon. Gentleman had said that in Scotch questions in the House when decisions were taken Members came in and voted without having heard the Debate and knowing nothing of the subject. Well, the same thing happened on London questions. The House had seen what a small attendance there had been to-day whilst the Bill was under discussion, and how, when a Division was expected, Members thronged in from other parts of the building. Then, the right hon. Gentleman had proceeded to point out that the time employed by the Committee upstairs would be time gained by the House of Commons for other matters, and he had said that there would be a number of outside English and Irish Members on the Committee who would be competent to advise, though not to control the Scotch Members. Of course, that was so in regard to this London Bill—though probably the Secretary for Scotland would not be so warm a supporter of the principle he had advocated in the present Bill as he had been on the Scotch Bill. They could not help noticing that there was a difference between the composition of the Scotch Members and the London Members. He was told that there was a con-

siderable majority supporting Her Majesty's Government amongst the Scotch Members, and that the right hon. Gentleman had calculated on the hearty support of that majority in carrying his Bill. If rumour spoke truly that hearty support had hardly been given. He could not say whether that was the case or not. But, at any rate, as he had heard from the Chairman of the Committee himself, an enormous amount of work had been done and a very large amount of discussion had taken place, so that to that extent the statement of the right hon. Gentleman as to the saving of time had been verified. Whether it had tended to expedite the business in hand remained to be seen when the Scotch Bill came up on Report. So far as it went the principle laid down by the Secretary for Scotland seemed to him to apply more strongly to the case of London. As an hon. Member had said last night, with great truth, the House of Commons as a whole was not fond of London questions. It always tried to get out of them, but there was no doubt of this: that London questions to Londoners were at least as important as Scotch questions to Scotchmen. He proposed on this occasion that the whole of the London Members should constitute a Select Committee, together with 15 other Members. It would be admitted, he thought, that among the London Members there was great variety of information, of opinion, of experience, and of knowledge, and those Members alone would not form an inadequate or incapable Committee, but under his proposal some of the ablest men in the House might be appointed to the Committee in addition. Thus a Committee might be formed who would carefully and adequately consider the whole matter and the various suggestions that had been made in the course of the Debate. Moreover, if such a Committee was appointed, an opportunity would be given for the consideration of those other plans which the President of the Local Government Board said he had dismissed as not being as good as the plan which the Government had adopted. For his own part, he was not satisfied that the best plan had been adopted, and he should not be convinced on that point until he had had an opportunity of comparing it with the other proposals. At present the material

*Sir J. Goldsmid*

for forming an opinion was wanting. Much of the discussion had depended upon information with reference to sanitary expenditure. The right hon. Baronet who had just spoken had said that he and one or two others had had access to some figures. Certainly, he (Sir J. Goldsmid) and other Members he could name had not seen them, and it was not fair that conclusions should be arrived at depending on figures which were not accessible to the great majority of the Members of the House. Figures were better examined in Committee upstairs than they were in Committee of the whole House. Having seen a good deal of Grand Committees, he was bound to say that the manner in which they dealt with these things had impressed him very much. They had applied themselves to the work in hand from time to time with ability and zeal and without the least waste of time. Looking to the state of Public Business, he thought there would be little chance of dealing satisfactorily with the Bill in Committee of the whole House. The Notice Paper showed that the Evicted Tenants Bill would occupy considerable time in Committee. He was informed that already several pages of Amendments had been handed in, and he ventured to predict that they would be a long way into August before that stage of the Evicted Tenants Bill was completed. After that there were several other Bills to be brought forward and Supply to be disposed of, so that if this programme of business was to be gone through, apart altogether from the present Bill, an early adjournment would be impossible. It had occurred to him, therefore, that the plan he proposed would facilitate business. He had heard it said, and he was sure it was true, that in all previous experience there had been a slaughter of innocents at one period of the Session, and that later on there was a second slaughter. They had only so far had the first. As he had said, he thought the best course, on the whole, would be to refer this Bill to a Select Committee. He wanted to meet the desires of the Government as far as possible, and to reconcile them to the possibilities of the case, and he begged to move the Motion that stood in his name.

Amendment proposed, to leave out the words "Committee of the whole House," and add the words

"Select Committee composed of all the Members who represent London constituencies, together with Fifteen other Members to be nominated by the Committee of Selection, and that the Committee be subject to the provisions of Standing Order No. 47 as far as they are applicable :

That the Chairmen's Panel nominated under Standing Order No. 49 do appoint one of their Members to be the Chairman of the Committee, and that the provisions of Standing Order No. 50 do apply to the Bill when reported by the Committee."—(Sir J. Goldsmid.)

Question proposed, "That the words proposed to be left out stand part of the Question."

\*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. SHAW-LEFEVRE, Bradford, Central) said, that the Government could not assent to his hon. Friend's proposal. The Bill consisted practically of one clause. His right hon. Friend opposite had announced that very important questions were to be raised on that clause, and in the opinion of the Government those questions had better be discussed in Committee of the whole House. It would be recollected that the proposal to send the Scotch Local Government Bill to the Scotch Grand Committee gave rise to a discussion that lasted several days. That, no doubt, was a novel proposal, but the proposal now before them to relegate London matters to a Grand Committee composed of London Members was still more novel, and if it were supported by the Government it would probably give rise to a protracted discussion and thus occupy much valuable time. It appeared to be thought that if the course recommended by his hon. Friend were taken, he would feel himself justified in referring to the same Committee all the other schemes which the Government had considered and rejected; but that was an erroneous view. He had no intention of submitting either to a Committee or to that House a number of worthless schemes which the Government did not think it worth while to entertain. Not one of those schemes appeared to be of the smallest possible advantage, and, under these circumstances, he must say that the Government could not assent to the proposal.

MR. GOSCHEN said, that if the right hon. Gentleman wished to make a speech calculated to prolong these proceedings he did not think he could have made a better one than the one he had made. At the last moment the right



hon. Gentleman spoke contemptuously of other plans as "worthless," but he would do well not to overlook the fact that his own plan had been shown to be very imperfect. The right hon. Gentleman, as an excuse for refusing to refer this Bill to a Grand Committee, pointed to the circumstance that at present it consisted of only one or two clauses. But Amendments were to be moved, and the Bill might really necessitate as much discussion as a Bill of nine or ten clauses. He was surprised that the right hon. Gentleman had not jumped at the proposal now before them. A minute or two ago the Secretary for Scotland was sitting next the right hon. Gentleman, and he thought that the right hon. Baronet had probably come in to report the great success which had attended the proceedings of the Scotch Grand Committee. Those proceedings had enabled the Government to persevere with a Bill upon which they were defeated by their own supporters. After that defeat they neither withdrew the Bill nor resigned. Were hon. Members aware that the voice of Scotland was sometimes silenced in that Committee by the right hon. Baronet the Secretary for Scotland, with the assistance of Saxons? [Sir D. MACFARLANE: On what occasion?] On an occasion so grave that the Secretary for Scotland seemed to have been very doubtful for some time whether he would proceed further with the Bill. Did hon. Members opposite think that the Scotch Grand Committee constituted a successful experiment? If the Secretary for Scotland had not discreetly left the House they might have appealed to him to say how much success had attended the experiment. Where was the Secretary for Scotland? If the proposal had been so successful in the case of Scotland they wanted to test its application to London. His hon. Friend invited the House to refer this Equalisation of Rates Bill to a Select Committee of Metropolitan Members formed on the analogy of the Scotch Grand Committee. If the plan was good for Scotland, why was it not good for London? It would undoubtedly relieve the House from some of the pressure of business at a time when the Session was very far advanced. However, it appeared that, in the opinion of the Government, what was suitable for Scotland, where there was a Radical majority, was not suitable for London,

*Mr. Goschen*

where there was a Conservative majority. That was the real explanation of the opposition of the right hon. Gentleman to this proposal. But what did the Radical Members for London think of that opposition? Would it not be pleasant for all the London Representatives to be gathered together? [An hon. MEMBER: Absurd!] Why should it be more absurd for the London Members to be gathered together than for the Scotch Members? Here was a distinct Metropolitan question, and why should the Government desire in connection with it that the voice of London should be silenced by Scotch and Irish votes? The attitude of the Government and their supporters was inconsistent. That of the Opposition, on the other hand, was perfectly consistent; they could not support the proposal before the House because they disapproved of all plans for dividing the House up according to nationalities and localities. But after their action on this occasion the Government could not logically ask the House next year to appoint a Grand Committee of Scotch, Welsh, or Irish Members. The Government, it was plain, were only in favour of referring Bills to Committees like the Scotch Grand Committee when such a course answered their own purpose and when the Committee was so constituted that the Liberals were in a majority. London had just as great a population as Scotland. [An hon. MEMBER: Greater.] Yes, greater; but it was so represented that it did not suit the Government, as they were doubtful whether with the assistance of 15 added Members they would be able to outvote the London Members. However, the Government refused this Committee, and the Opposition noted it. The Metropolitan Members were content with the House of Commons as the best tribunal for the discussion of all Bills, and by the verdict of that tribunal they would be prepared to stand.

SIR J. LUBBOCK said, that the principal reason given by the right hon. Gentleman in charge of the Bill against the proposal was that the discussion on the Scotch Grand Committee took five days; but if the Government would entertain this Motion it might be accepted at once. If they opposed it, surely it was unreasonable after a Debate of 20 minutes to refuse to London what had been given to Scotland. He could not

help thinking that the reason was that in the Debate a large majority of the London Members had spoken against the Bill. He supported the proposal of the hon. Baronet for two reasons—first, because if it were carried these important questions would be determined by the votes of those who had heard the Debate; and, secondly, because if it were carried this London Bill would be determined by the votes of London Members.

Mr. JOHN BURNS rose in his place, and claimed to move, "That the Question be now put;" but Mr. Speaker withheld his assent, and declined then to put that Question.

Debate resumed.

MR. R. G. WEBSTER (St. Pancras, E.) said, he did not see why London should not have a Select Committee to consider this important question. It was not a general, but a purely local question—such a question as the Public Health (London) Bill, which was discussed in the last Parliament. That Bill was referred to the Committee on Law, and 15 London Members were added. Nearly the whole of the discussion on that Bill took place between those 15 hon. Members. The London Members had been in the House during the discussion on this Bill during the last few years, but how many hon. Members who did not represent London had been in the House? He strongly protested as a London Member against the action of the Government. The Bill ought to be referred to a Committee strongly posted up in the question, and he thought the hon. Member had shown wisdom in bringing forward his Motion.

\*MR. T. W. RUSSELL (Tyrone, S.) said, he must confess he could not understand the position of the Government. Early this Session they fought for and obtained the Scotch Grand Committee. He had been on that Committee for some time, and the chief votes he had given had been votes to rescue the Secretary for Scotland from the hands of his friends. He had generally found the Secretary for Scotland opposing the bulk of his friends, and the main function of the 15 added Members had been to save him from his friends. He could not see why the Government should object to sending this Bill to a London Committee, and he thought they would wind up the

Session very well by sending the Evicted Tenants Bill to an Irish Committee.

\*SIR J. GOLDSMID said, that as the Motion was opposed by the two Front Benches, he would ask leave to withdraw it.

Amendment, by leave, withdrawn.

Main Question put, and agreed to.

Bill committed to a Committee of the Whole House for Monday next.

MERCHANT SHIPPING (*re-committed*)  
BILL.—(No. 132.)

COMMITTEE.

Bill considered in Committee.

(In the Committee.)

Clause 1.

THE PRESIDENT OF THE BOARD OF TRADE (Mr. BRYCE, Aberdeen, S.) said, this Bill was a very large consolidation Bill which had been read a second time, and considered during this Session and last Session by a very strong Committee of the whole House, presided over by the Lord Chancellor. It was a Bill of great importance to the merchant shipping community, and it was very desirable that it should pass this Session.

MR. T. W. RUSSELL: Is it purely a consolidation Bill?

MR. BRYCE: Yes.

MR. GOSCHEN said, he did not think anybody expected the Bill to come on. He, however, did not oppose it in any way. But the right hon. Gentleman had got the Chairman in the Chair, and he thought he ought to be satisfied with that. There would be no gain in proceeding further during the next two minutes.

MR. BRYCE said, he was quite willing to accept that course.

Committee report Progress; to sit again To-morrow.

PRIZE COURTS BILL [*Lords*].—(No. 311.)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

MR. GOSCHEN said, the Opposition had done their best to facilitate the disposal of the remaining questions on the Paper. He did not wish to introduce

objections, but he thought that they ought not now to proceed with other Bills which were at all open to discussion.

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Mr. S. BUXTON, Tower Hamlets, Poplar) said, there was no intention of pressing the Bill unduly. It had been on the Paper for some days. It had come down from the Lords, and was practically agreed to by both sides, but he would not press it now.

Second Reading deferred till To-morrow.

CHARITABLE TRUSTS ACTS AMENDMENT BILL [*Lords*].—(No. 296.)

SECOND READING.

Order for Second Reading read.

MR. COZENS-HARDY (Norfolk, N.) moved the Second Reading of this Bill. It was introduced by Lord Halsbury, was approved by the present Lord Chancellor, and was intended to correct what had proved to be a blunder in the present Act. There was nothing controversial or contentious in the Bill, and the hon. Member who objected on the last occasion it was before the House was now satisfied that there was no ground for objection.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Cozens-Hardy*.)

SIR F. S. POWELL (Wigan): I am quite satisfied now.

Motion agreed to.

Bill read a second time, and committed for Wednesday next.

LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 14) BILL.—(No. 236.)

Lords Amendments agreed to.

LOCAL GOVERNMENT PROVISIONAL ORDER (No. 17) BILL.—(No. 248.)

Lords Amendments agreed to.

TRAMWAYS ORDERS CONFIRMATION (No. 1) BILL [*Lords*].—(No. 306.)

Reported, without Amendment [Provisional Orders confirmed]; Report to lie upon the Table, and to be printed.

Bill to be considered To-morrow.

*Mr. Goschen*

TRAMWAYS ORDERS CONFIRMATION (No. 2) BILL [*Lords*].—(No. 307.)

Reported, with Amendments [Provisional Orders confirmed]; Report to lie upon the Table, and to be printed.

Bill, as amended, to be considered To-morrow.

VALUATION (METROPOLIS) BILL (No. 130.)

Order for Second Reading read, and discharged.

Bill withdrawn.

BOROUGH FUNDS ACT (1872) AMENDMENT BILL.

On Motion of Sir Albert Rollit, Bill to amend The Borough Funds Act, 1872, ordered to be brought in by Sir Albert Rollit, and Sir Thomas Roe.

Bill presented, and read first time. [Bill 333.]

PATENT AGENTS BILL.—(No. 18.)

Special Report from the Select Committee on Patent Agents Bill brought up, and read.

PATENT AGENTS BILL.

Reported without Amendment.

PATENT AGENTS REGISTRATION BILL (No. 143.)

Reported with Minutes of Evidence and an Appendix.

Bill, as amended, to be printed. [Bill 334]; re-committed to a Committee of the whole House for Monday next.

Special Report and other Reports to lie upon the Table, and to be printed. [No. 235.]

STATUTE LAW REVISION BILLS, &c.

Report from the Joint Committee, in respect of the Prevention of Cruelty to Children Bill [*Lords*], brought up, and read.

Report to lie upon the Table, and to be printed. [No. 236.]

House adjourned at twenty-five minutes before Six o'clock.



## HOUSE OF LORDS,

*Thursday, 26th July 1894.*REPRESENTATIVE PEERS FOR  
SCOTLAND.

The Lord Chancellor acquainted the House that the Clerk of the Parliaments had received (by post) from the Lord Clerk Register of Scotland,

Minutes of the election of the Viscount Falkland and the Lord Torphichen as two of the sixteen Peers of Scotland, 18th instant, in room of James David Viscount Strathallan, and John Trotter Earl of Lindsay, deceased; and

Separate Return by the Lord Clerk Register of certain Titles of Peerage called at the said election, in right of which respectively no vote had been received and counted at any election for fifty years then last past (pursuant to Act 14th and 15th Vict., chap. 87.);

Ordered that the said Minutes of Election, &c. be printed. (No. 176.)

## FINANCE BILL.—(No. 168.)

## SECOND READING.

Order of the Day for the Second Reading, read.

Moved, "That the Bill be now read 2<sup>d</sup>."  
—(*The Earl of Rosebery.*)

THE EARL OF FEVERSHAM said, the noble Earl at the head of the Government the other night, on the introduction of the Bill, seemed to demur to the discussion of the Bill by their Lordships. Did the noble Earl really suppose that a measure fraught with so much injustice to the landed interest in this country could be so passed? Their Lordships' House had reason to complain of the change made of late in the former practice. Formerly the Budget was included in several Bills; it was now introduced as a single measure. The result had been that that House was precluded from objecting to one portion unless they rejected the whole. In his own recollection, up to

the year 1860 the Budget was introduced in several Bills. In 1853 Mr. Gladstone, then Chancellor of the Exchequer, introduced a Budget providing that the Income Tax should be gradually reduced, and should be altogether extinguished in 1860. But when that time arrived, Mr. Gladstone, again Chancellor of the Exchequer, so far from extinguishing the Income Tax actually doubled it. That Bill was brought up to their Lordships' House at the same time as the Bill for the Repeal of the Paper Duty, and they accepted the augmentation of the Income Tax but rejected the repeal of the Paper Duty—with very salutary results—for Mr. Gladstone was enabled in the following year to remit a portion of the Income Tax, and the Paper Duty Repeal Bill was sent up to their Lordships' House and passed. This Budget was founded upon a fallacy propounded by the Chancellor of the Exchequer when he introduced the Bill into the other House, that the State had the right to share in the property of a deceased person. The right hon. Gentleman never adduced any authority in support of that statement, either financial or politico-economical. He had always held the belief that the State had a right to expect that every property should contribute to the support of the State, but he had never heard before that the State was entitled to share in a man's property. That was simply a gospel of plunder; the foundation of this confiscatory Bill. The measure would do great injury to the landed interest of the country. Though the landowners would be the first to feel the injury it would tell through them upon all classes dependent upon the land. The landowner would no longer be able to give his tenantry the assistance he had been accustomed to render them; he would not be able to spend money on improvements necessary for their welfare and in the agricultural interest; he would not be able to employ the labouring classes. The labourers would be thrown out of employ. Having touched the three classes mainly dependent on the land—the owners, the occupiers, and the labourers—the trade of the country was next affected; and local tradesmen and the rural districts of the country would be materially injured by the Bill now before the House. It had been

said that the measure would benefit people who inherited small legacies ; but even they would have to pay the Death Duty, not in accordance with the amount of legacies they received, but in regard to the amount of property left by those who bequeathed it. That was a distinct injustice to small legatees. Again, this measure proposed to equalise taxation on realty and personalty. It might do so in regard to Imperial taxation, but it left unredressed the great inequality in local rating. While the burden on personalty was slight, after this Bill was passed the main burden would have to be borne by realty ; and, therefore, so far from the inequality being removed it was increased by a still greater burden being imposed on real property. Then it had been said that the Bill would be of advantage to the general interests of the country in other ways. He begged altogether to dissent from that view. It was also urged that people would get into difficulties, and would sell their property. Well, what sort of Bill must it be which increased the sale of estates which had been in the hands of particular families for generations ? The late Lord Cairns once spoke in that House with great effect of "the love which people had for the land." That sentiment never seemed to enter into the minds of Her Majesty's Government. There was a great amount of sentiment among those who had inherited landed property from generation to generation. They not only loved the land, but the people on the land, and they loved to do what they could to promote the welfare and interests of people there among whom they lived. This Bill ignored all the associations which had gathered round the landed interest of this country. One proposal made in the other House of Parliament was that possessors of land might take out insurance policies for the purpose of lessening the oppression of this Bill. That proposal had been rejected. It was difficult to see why, for by that means the collection of the Revenue would have been facilitated, and the proposal was made as much in the interests of the Exchequer as of those who had to pay. Yet for no reason that he had heard or could discover the Government would not agree even to that moderate suggestion. From

all he could gather in this extraordinary procedure of Her Majesty's Government they had declined every proposal which would have tended to relieve the weight of this heavy burden in future upon the possessors of landed property. It really seemed, though he did not like to impute motives, as if the design was to injure the landed interest. He would not go into the details of the Bill, which were probably familiar to their Lordships at all events in outline. With its general features they were no doubt acquainted, and he would only say in conclusion that he had felt it his duty to raise his voice in protest against a measure which he believed to be fraught with injury and danger to the best interests of this country ; and he hoped that under another Government by some future Chancellor of the Exchequer its severity would be mitigated and its injustice removed.

THE DUKE OF DEVONSHIRE :  
My Lords, I need hardly say that I do not rise to offer any opposition to the Second Reading of this Bill, nor with the intention of suggesting any Amendments which might be made in the measure. I admit that some Amendments have been accepted by the Government in the other House which have removed to a partial extent some of the apprehensions which we entertained of the measure when it was first introduced, and which so far are improvements in the Bill. But I believe that it would be impossible, even if it were within your Lordships' power constitutionally to amend this Bill, to introduce such Amendments as would, consistently with the main principles on which the Bill is founded, deprive it of those dangers and unfortunate consequences which some of us apprehend will result from it. Nor, my Lords, do I intend to enter on this occasion into any discussion of the constitutional question which was raised by the Prime Minister when he told us the other night that the House of Lords had nothing whatever to do with this Bill. That is a point which I daresay may be touched upon by others, but I have no doubt that it will be generally admitted by the great majority of your Lordships that, whatever may be the constitutional rights of this House, those constitutional rights

*The Earl of Feversham*

have not, in recent years at all events, been acted upon, and that, short of taking the enormous responsibility of rejecting the financial proposals made by the responsible Government for the wants of the public service in the current year, it is almost impossible for your Lordships to amend a measure of this description. Nor do I desire to say much on any of the principles which are contained in this Bill. It seems to me that the principle of graduation has been adopted with very little and certainly with inadequate consideration. It appears to me that that principle is fraught with very considerable danger, and I believe that in the opinion of many of the most eminent political economists the introduction of the principle of graduation into the taxation either of income or of capital must have a tendency to diminish the inducement for the accumulation or saving of wealth, must tend to reduce the capital of the country, and, therefore, must exercise a prejudicial influence upon all classes, and most of all upon the working classes. I have no doubt that a great many much more serious and much more grave instances might be adduced, but one example occurs to me which illustrates how it is possible that the principle of graduated taxation as introduced into this Bill may tend, to use a familiar expression, to kill the goose which lays the golden eggs. Take the case of collections of works of art or large libraries belonging to a great estate. This measure, in such cases, would double the heavy taxation already imposed upon them. It may, in many instances, become a question whether it will be possible to retain these collections. It may be necessary to sell them. They will be sold either in this country or to go abroad. If they are sold in this country and pass into estates of smaller amount, the State will lose any benefit which it expects to derive from the principle of graduation. If, on the other hand, they are sold, and, as is not improbable, they pass by sale out of the country altogether, then these properties, which at the present time at periodical intervals are yielding a certain income to the State, will cease to yield that income altogether, and the State will be a loser, and not a gainer, by the transaction. Again, another new principle of very great importance has been introduced

into this measure. It is proposed for the first time to levy these graduated duties in favour of the Crown, not on the property which is inherited by the successor, but on the amount which was possessed by the deceased person. That is a proposal which appears to be founded on the principle referred to by the noble Lord who has just sat down, that the property of the deceased person reverts absolutely to the State, and that no one has a right to dispose of his property after death until it has paid such toll as the State may demand. My Lords, this appears to be a principle which may be carried very far. It is only at the good pleasure and by the moderation of the Chancellor of the Exchequer that this toll is at present limited to 4, or 5, or 6, or 7, and in no case more than 8 per cent. But when once the principle is admitted that the State has the first claim upon property which passes by death, and that no one inherits except on condition of the payment of such toll as the State may arbitrarily demand, it is difficult to see why those limits are not capable of indefinite extension until they reach absolute confiscation; and I should be very glad to hear from some Member of Her Majesty's Government what natural point does, in their opinion, exist which will impose any reasonable limit to the taxation which, upon this principle, may be levied upon the property of a deceased person. But, as I have said, I do not desire to enter at any length into the discussion of this principle. I do not profess to possess either the financial or economical knowledge which would enable me to do so with advantage. My only object in rising on this occasion is to endeavour, if I can, to obtain from Members of Her Majesty's Government who are responsible for this Bill some further explanation and information as to the probable practical results which they anticipate will arise from it, and I think even after the long and protracted discussion in the other House of Parliament, there is some room for further information upon these points. Now, my Lords, it seems to me that one of the first and most important points on which we and the country ought to be able to form some clear idea is as to the class of persons who are to be mainly affected by this measure. It seems to me rather remarkable, and I do not think the point has been much

brought out or discussed in the House of Commons, that a great many, perhaps the majority, of the persons who will be most seriously affected by this measure will not be those who are directly affected, but those who are indirectly affected. The case has generally been argued, up to the present time, as if the measure affected only very rich men or men, less rich, but still possessed of a considerable amount of property. It has been defended upon the ground that it will bring actual relief to a large and deserving class of persons of very small incomes, persons belonging to the class just superior in point of income to the working class, which has been described by some one as the class "which has begun to wear a black coat." Now, however desirable it may be that relief should be given to this large and most deserving class, there is a still larger class of persons in a position of greater poverty than that class, to whom the consequences of this measure may be, not relief of their actual position, nor even some diminution of their present incomes, but to whom it may be the actual deprivation of their entire means of subsistence. That will be the case if this measure should have the consequences some of us anticipate from it. Our contention is that this Bill will impose upon rich men, and upon some men who are not rich, new burdens, which we do not say will ruin them, but which will necessarily impose on them the necessity of making some very considerable changes in the objects upon which their income has hitherto been spent, which will cause some great change in their mode of living, which will force them to resort to economies and retrenchments in many directions. And if your Lordships consider what are the objects upon which the incomes of most rich men are spent it will be clear that a large part of those incomes are spent directly in the payment of wages and of labour, and a still larger part is indirectly spent for the same purposes. A large portion of the expenditure of rich men consists in wages directly paid for labour, and another portion in the purchase of commodities produced by labour for which wages are paid, and if we are right in our anticipations the immediate and direct effect of this measure will be to produce a neces-

sity for great retrenchment and economies in many directions on the part of rich men. It seems to me to follow, as a matter of course, that the immediate effect of the Bill will be a great direct, and perhaps a still greater indirect, cessation of the employment of labour, and certainly a great dislocation of labour. Thus, the persons who will be most affected by the Bill will not be the rich, who will have actually to pay the tax, and to whom these changes may mean nothing but some alteration, more or less complete, in their present mode of life, and some deprivation of luxuries or means of enjoyment, but those who, owing to the operation of the measure, are deprived of their means of subsistence. While the wealthy classes, and especially the landowners, have been attacked and sneered at for their unwillingness to bear a fair share of the public burdens—for purposes of national defence and the maintenance of our Navy—nothing has been heard of the case of these men who are really far more directly affected by the proposed increases of taxation than those on whom they will directly fall. Two answers have been given to these contentions. In the first place, it is said that we greatly exaggerate the effect which will be produced, and in the next place we are told that even if our apprehensions are well founded it only shows that some classes of property have hitherto escaped their fair share of taxation, and that be the consequences what they may that injustice must be redressed. As to the first point, there is a great deal of difference even among the authors of this measure. Mr. Fowler dismisses lightly the case of the very rich men. He says when he is told that this is a measure that would scatter works of art abroad, and reduce the stately splendour of great houses, that he does not believe a word of it, but he admits that it will press very heavily upon landowners with moderate rentals. The Chancellor of the Exchequer, as far as I have been able to ascertain, has never admitted that this taxation will press heavily on anyone at all. These allegations, my Lords, cannot in my opinion be dismissed by a summary declaration that a Minister of the Crown does not believe a word of them. What Mr. Fowler and Sir W. Harcourt do not

appear to me to see is that this largely increased taxation is going to be levied on a great amount of property which brings in no income at all, and on a further amount of property which brings in a very small income. When Sir W. Harcourt speaks of a millionaire or of a man with £100,000 or £200,000 he appears always to assume that his capital is invested in the Funds, or some other security which produces an income of 3 or 4 per cent. on the total value of the capital. The Chancellor of the Exchequer actually spoke the other day of a man inheriting £100,000 as coming into an income of £4,000 or £5,000 a year. There may be such cases, and of such men it may be said that the tax is no very serious matter, and that, as Sir William Harcourt said, the amount that would be required to insure the estate of the successor against the incidence of the tax would not be more than he may lose on a racecourse in an afternoon, or than the cost of a moderate two-year-old. Such cases, however, are extremely rare. In most cases the estate will probably include a house which brings in no income, but, on the contrary, is an expense, and it will include furniture, plate, works of art, and other things, which produce no income. A very large proportion of assets which consists of personal property does not bring in anything. It is absolutely impossible to say what in such cases may be the income expected to be derived from such an estate, but it is quite certain that in all ordinary cases it will be very much less than 3 or 4 per cent. I am not attempting to argue that it is unfair that such estates should be subject to taxation; all I contend is that it is absurd to say that in the case of an ordinary inheritance, even if it consists chiefly of personal property, the exaction by the State of two, or three, or four years' income will not produce any change in the mode of life of the possessor. It must be remembered that Sir William Harcourt's millionaire is not a person who lives in a lodging and accumulates his income. He is a person who, according to Sir William Harcourt's simile, lives in palaces and who frequents racecourses. This tax will necessitate a great change in the mode of life of such a man, and the amount of labour he can

employ and the amount he can spend in his immediate neighbourhood. If that is the effect in the case of an estate mainly consisting of personal property, of course the effect of the measure will be immensely greater in the case of an estate which consists chiefly of real property. In that case the successor will not only have to pay the increased duties upon a large amount of property which does not bring him in any income at all, he will also have to pay enormously increased duties upon that portion of his capital which does produce an income, but in the case of land not more than 2 per cent., if it ever reaches that. In commenting upon the estimate which on one occasion I attempted to form of the surplus income which the owner of a landed estate, with a residence upon it, may be expected to receive, Sir William Harcourt said that I appeared to have in my mind something that might be described as "male pin-money." How did I arrive at the amount? I deducted the interest on mortgages and other debts, the cost of management, the amount of expenditure on the estate, including the cost of new buildings and repairs, allowances and remissions of rent to tenants, the maintenance of roads and fences, the cost of keeping up places of residence, and also local subscriptions and pensions. That which remains, and which is described by Sir W. Harcourt as "male pin-money," has to provide the household and establishment expenses of the owner, the maintenance of himself and his family, the provision he may make for his younger children, his private subscriptions, and, in fact, the whole of his personal expenditure. It is no exaggeration to say that in the case of almost every landed estate with a residence upon it the new Estate Duties which are to be levied will amount to at least five years, and in a great many cases to much more than five years, of any surplus income for fulfilling the functions to which I have referred. Human nature being what it is, is it likely that a man who is forced to reduce his expenditure largely and make great retrenchments will continue to pay his local subscriptions and to keep up a large house and an extensive place when perhaps nothing might be left for his family and himself to live on? Inevitably in 99 cases out of 100 he will



select for retrenchment that branch of his expenditure which least affects himself and those who belong to him, and in a great many cases it would not even be a matter of choice, but a matter of necessity to him. He will be compelled to stop all that outlay to which I have alluded and altogether to change his mode of life. This is not a matter of speculation, but of absolute certainty. Every one who has the smallest acquaintance with the country knows that in recent years, without the pressure of this new taxation and owing solely to the pressure of bad times, large numbers of persons have been compelled to close their country houses, to diminish their outlay upon their estates to the utmost possible extent, and to live either in London or abroad. It seems to me, therefore, that it is not a matter of speculation but of absolute certainty that the imposition of this new and certainly heavy burden must have the effect of greatly accelerating that process which has been going on in recent years. Some may say that these duties will lead to a greater distribution of the land, and that that will be an advantage. I doubt very much whether this will be the effect. No doubt this change will greatly increase the inducements to sell land, but at the same time it will greatly diminish the inducements to acquire land. However, whatever may be the effect in that respect, that is not the ground upon which the question has been argued. We are told that this measure is not going to have the effect of closing or accelerating the closing of country houses, and that our fears and apprehensions are groundless; but that assertion is not supported by a particle of proof as against the undoubted common-sense, I think, of the view I have presented to your Lordships. Mr. Morley, in a recent speech of his, said that if people were going to shut up their places because they would now have to bear their fair share of Imperial taxation it followed that in the past other people had been paying their subscriptions for them and aiding to keep up their places. Well, I do not admit that this measure is going to bring about equality of taxation as between land and personal property. Upon this point again there has been great difference of opinion between the authors of this measure. Sir W. Har-

*The Duke of Devonshire*

court as far as I know has never admitted that land has anything to complain of in respect of the pressure of local taxation, but Mr. Fowler admitted the other day that land has borne and still bears an undue share of local burdens, and he explicitly promised an inquiry with a view to redressing grievances at some future time. This does not appear to be a very statesmanlike or just mode of procedure, but we have got now something in the nature of a promise. The opinion, then, appears to be that land does not pay enough Imperial taxation, but more than its fair share of local burdens, and you are going to establish equality by placing a full or excessive share of Imperial burdens upon land, and postponing for an indefinite time the redress of the grievance under which land suffers in respect of local taxation. I do not consider that a just or statesmanlike way of dealing with the question. But if you could prove—if it was possible to prove, which I do not think it is—that land does not bear its fair share of Imperial and local taxation, taking them together, still I think some way might have been discovered less oppressive, more gradual, more just than that which has been adopted. Let me for a moment examine what is the difference between the position of owners of personalty and owners of real property. Speaking generally, it may be said that the possessor of personalty is bound by no ties to any special locality or to any special mode of life. If you increase taxation upon the owner of personal property and reduce his income it is probably not very difficult for him to change in some degree his mode of life, to live in a smaller house, to maintain a smaller establishment, to effect economies in a great many directions without experiencing any great wrench in either his own existence or that of the people dependent upon him. The case of the owner of a landed estate is entirely different. He is bound to the estate, and to a certain scale of expenditure upon it, as long as he remains there. For him it is no question of certain minor economies; for him the question is whether he shall go or stay, whether he will stay as a pauper, unable to discharge the duties which he has hitherto fulfilled, or whether he will go and abandon altogether the occupations

to which he has been accustomed and the obligations which he has undertaken. That is the question for a person who is affected directly, and there is the same distinction among the persons indirectly affected. If a man has to reduce his expenditure he will keep fewer servants and horses, and will diminish his tradesmen's bills, the servants having to find other places, the tradesmen other customers. In the case of a man who is compelled by the operation of this measure to close his country place and to reduce his expenditure upon the estate, the immediate effect will be the absolute cessation of the employment of a large number of people who probably will not readily find employment anywhere else, and the deprivation for hundreds of families of, at all events, their present means of subsistence. My Lords, there is another point to which I desire to call your attention. The other day the Chancellor of the Exchequer laid great stress upon the power of life assurance as affording sufficient and adequate protection to the owner of an estate and his successor against the effect of these duties. Sir W. Harcourt, however, did not explain how the man in the unfortunate position of being over 50 or 60 years of age can protect himself satisfactorily by assurance, and he did not tell us what would be the position of an estate which happened to pass by two or three successions to persons of a certain age who were not able to insure. But, whatever this argument may be worth, it seems to point to the fact that the power to protect an estate against the effect of these duties depends very much upon the age of the possessor at the time when he comes into possession; in other words, it is a question of his life interest in the estate, and the deduction which seems to follow is that it would be more just to levy these duties as they are levied now in the case of land, upon the life interest of the owners, and not upon the capital value of the estate. Justice and equity suggest that this principle should be applied to the case of personal property as well as real, rather than that the principle which now applies to personal property should be unjustly applied to land. No doubt I shall be told that, if this method of levying duty were adopted, the necessary provision for the public service

would not be obtained, and that is probably quite true; but what then becomes of the declarations as to the justice and equity of this readjustment, which was to be the final settlement of a difficult and complicated question? It falls from that lofty position to a mere expedient for meeting the pecuniary necessities of the moment. It becomes nothing but a mere temporary makeshift, which will have at some future time to be redressed and put on a more equitable basis. My Lords, I think it might be possible to have adopted some mode of making this transition more gradual. Would it not have been possible to equalise taxation under the old conditions without adding to equalisation the accumulated horrors of aggregation and graduation? If this is an act of justice, I confess it seems to me in many respects much more an act of injustice. It has been done in a manner most oppressive and most unstatesman-like, and with the smallest possible amount of regard to the interests of any of those either directly or indirectly concerned. I know, my Lords, that in making these observations, and those I have made in other places on the same subject, I am exposing myself to a certain amount of misconception and misrepresentation. It is said that I and others who speak in this sense are thinking only of our own interest. I attempted in those observations to show that, in my judgment, it is not the owners of property on whom this taxation will fall who will be the only, or even the chief, sufferers. I do not know whether changes which will be forced upon many owners of property will be in all cases distasteful to them. I am not at all sure that anyone is necessarily much happier for having a great many places to look after and keep up than if he only had one, or perhaps none. I am not at all sure that to a great many country squires, especially young ones, the exchange of the routine of country life and the duties of country life for residence in London, even in a lodging, with all the attractions of the London clubs and London places of entertainment, and all the other attractions of London life, or even the change to a residence abroad and foreign travel, would be in all cases a distasteful change. It is not on those who will be directly



affected that the chief burden will fall. It will be borne by those who will have no such option, for whom it will not merely mean a change in their former manner of existence, but perhaps, for the present at all events, the absolute deprivation of the means that have hitherto been their support. I do not believe that this measure is going to be in any sense a final settlement of the question. I believe that the hardships both direct and indirect which it will entail will make it odious to many who may view it with approval or with indifference. I believe that its oppressive character will necessarily lead to attempts, and probably successful attempts, at evasion, and I believe the Revenue will not reap the benefit expected from it, and that at no distant time both those who are the subjects and those who are the recipients of this taxation will have to recognise the necessity of revising it again from its very foundation and placing it on a more equitable and a fairer basis.

\***LORD FARRER** said he felt unwilling, not having been long a Member of the House, to address their Lordships on so extremely important a subject. He had, however, devoted some attention to it, and he would like to say a few words upon one or two points in the speech of the noble Duke, to whom he always listened with almost more attention and respect than any other Member of the House. The noble Duke cast some contempt on the notion of treating such a subject as a matter of expediency in raising money. But the fact that a large sum had to be raised for the public expenditure really lay at the bottom of the whole question. A larger sum was now demanded for naval purposes than hitherto, and the question was, how was that demand to be met? It was not a question of expediency, but of absolute necessity. He would not go into Sir William Harcourt's difficulties. They had been very great. He had succeeded to four very lean years after four very fat years. He had had to meet a new demand for naval expenditure, and in addition to pay off a debt of £6,000,000 charged upon him by the late Government. The right hon. Gentleman had

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met those difficulties by various expedients, which had not been mentioned in this Debate, and had taken the opportunity of revising our whole system of taxation and of making certain changes in answer to loud complaints which had been made with reiterated force from time to time. The most important feature in the whole scheme was the acceptance and acknowledgment once for all of the system of graduated taxation. It was not a new thing. It had been introduced by Sir Stafford Northcote in connection with the Income Tax, and had been extended by Mr. Goschen in various ways. The principle that accumulated wealth should pay not only in arithmetical proportion to its amount, but in greater proportion as it became larger, was, he believed, a just principle, because the sacrifice was less to the rich man than to the poor man. The noble Duke said it would prevent saving, but would it prevent saving more than an Income Tax or taxes on articles of consumption? The taxes on the luxuries of the poor man—tobacco and alcohol—were already as high as they could be, and therefore, if the taxation of articles of consumption was to be carried any further, it would have to be extended to the food of the poor and the raw material used in our industries. We had no other resources. Why was a tax upon the rich man's accumulated wealth a greater hindrance to saving and industry than a tax upon articles of consumption or upon income? The noble Duke gave some instances to show how it would work—among others, in the dispersion of art collections. But, if so, the money would not be lost to the State for the purposes of taxation, because the works of art would not be sold for nothing, and it would only be the form in which the property was held that would be changed. The noble Duke said that if this principle were once begun there would be no end to it. That was their old friend "the thin end of the wedge" again, and that argument might be applied to almost everything. What was the answer to it? That Englishmen possessed a certain amount of common sense and were not going to commit suicide. Then the noble Duke said that by taxing the very rich man they would prevent him from giving employment to others. There

might be a diversion of money in such a case, but the money would still be spent on labour, and there would be just as much labour employed, whether in dockyards or in other fields of industry. It would not be lost to industry at all, but would be merely an alteration from the spending of the money on country residences, gardens, race-horses, and other pleasures perhaps innocent enough. For his own part, he was not sure that such expenditure was not preferable to building ironclads. The noble Duke expatiated on the hardships which would be inflicted on owners of land by the alteration in their habits and by the difficulties in maintaining their country places which would follow additional taxation on land. The noble Duke said that landed estates produced scarcely any income after making all deductions. No doubt there was a great deal of land in the country that was producing nothing at all, because it was occupied for pleasure and as a luxury; but its selling value was enormous. Was the fact that it was not producing income any reason why it should not be taxed? The rent or income derived from land was no test of its real value. It was one of the great complaints outside that ground values were not taxed according to their real worth. He deeply sympathised with an heir who came into an estate with nothing but his rents to depend upon, and admitted that it would have been well if the change in taxation could have been proposed at a time when the landed interest suffered less than at present. But were there no other persons suffering too—persons whose incomes were diminishing through the shrinkage in the value of investments? The answer to the complaint of the landowners was this: "You are in a peculiar situation. Your property is exempt from taxation to which other property is subject. At the same time, you have given a vote to every householder and workman. Do you think these men will look quietly upon large accumulations of property which remain untaxed?" Socialistic doctrines were abroad, and, although the good sense of our fellow-countrymen would reject them, they acquired considerable strength from their alliance with the cause of labour. Was this a time at which landowners could

afford to maintain exemptions from general taxation which had been long and bitterly complained of? Was it not a matter of extreme danger that these complaints should continue? Was it not unwise, on the part of landowners, to give the people power and not take upon themselves a full share of the burdens of the people? Was it not wiser to meet the people half-way? He felt strongly upon this subject because of what he had heard in another place, where he had witnessed the result of these new modes of thought. In the London County Council you could not mention the subject of taxing ground values without raising a cheer, which was very significant indeed, and he did not believe there was any way in which you could meet those manifestations of a possible danger so safely as by accepting willingly and loyally alterations in taxation which were just in themselves.

THE EARL OF DUNRAVEN dealt with an aspect of the Bill not yet touched upon. However strongly he might feel upon the question of the effect the Bill would have upon the landed interests and the millions of people dependent upon them he would not refer to it, that question having been exhaustively dealt with by the noble Duke, beyond asking one question. The noble Lord who had just sat down appeared to think that it mattered comparatively little that a number of agricultural labourers were thrown out of employment because money would be spent in other occupations; but what was to become of the agricultural labourers before they were converted into artisans or dockyard workmen? If the noble Lord had explained that, his arguments would have had greater force. He wished to obtain from the Government a little information as to the effect the Bill would have upon the liberties of Her Majesty's subjects in the self-governing colonies, and upon the relations existing between the Colonies and the Mother Country. It would probably not be disputed that although the Imperial Parliament could in its wisdom or unwisdom impose any taxation it pleased, and to any amount, upon property in the United Kingdom, whose Representatives

sat in the House of Commons, Imperial Parliament had no right to tax property in the self-governing colonies not represented there, but which had Legislatures of their own. The Bill as it stood must practically have the effect of determining and dictating the character and extent of taxation in the colonies. Beyond question, as it was introduced it would have had the effect of interfering with the rights and privileges of self-governing colonies, and a very powerful and dignified protest was made by the High Commissioner of Canada, and by the Agents General of all the Colonies. In doing so they asked the very pertinent question—how was it possible that such an interference as was contemplated in this Bill could be made by the Imperial Parliament without first suspending the respective Constitutions of the various colonies? That question was answered by certain modifications being made in the Bill. Those modifications were, however, insufficient, and as they were somewhat difficult to understand, perhaps Her Majesty's Government would give some further information about them. As regarded the effect of the Bill in the British Possessions, Section 20 of the Bill provided against the duty being paid twice over: that where the Death Duty was charged upon property situate in a colony, Estate Duty should not be charged also upon it—that the amount of the Death Duty levied there should be deducted from the amount of the Estate Duty. But what must be the inevitable effect of that? It was idle to suppose that any colony was going to allow its taxation to go into our Exchequer; and it was obvious that that would force the colonies, in self-defence, to adjust their Death Duties to the amount of our Estate Duty, whatever it might be. We were thus dictating to the colonies the character of their taxation whereby they were to raise revenue, and not only its character but its amount. He doubted very much whether that would tend to increase the feelings of affection with which the colonies regarded the Mother Country. The Minister in charge of the finances of the colony would be compelled to proceed upon the action taken by the Imperial Parliament in regard to the Death Duties imposed in the colony. Sub-section 2 of Clause 20 provided that—

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"Nothing in this Act shall be held to create a charge for Estate Duty on any property situate in a British possession, while so situate, or to authorise the Commissioners to take any proceedings in a British possession for the recovery of any Estate Duty."

At first sight that seemed perfectly sufficient, but it was clear the Estate Duty would be assessed over the whole of the property situate in the colony, and would be recoverable upon any property possessed by the deceased person in this country. The Estate Duty was to be assessed upon all a man's property wherever situate, and could be levied on his property in this country. He failed to see a concession of any kind in that—it was a mere subterfuge. Did it appear a wise thing to their Lordships or a just thing to so levy duties on property situated in the colonies? Take the case of Australian, Canadian, or other colonists coming over to this country, residing and becoming domiciled here. Though deriving large incomes from property mainly situate in the colonies, it was absurd to suppose they would not acquire a certain amount of property in this country, and their property here would be attachable for the payment of the Estate Duty. A colonist might live for a great number of years here. Domiciled in this country, his whole property had been made in the colony, and was situated there; his heirs were born and domiciled in the colony, and probably never left the colony, and yet in such a case they would have to pay the Estate Duty, and it would come into the Exchequer of this country. That did not appear to him to be just. And was it a wise thing to discourage, as the Bill must, colonial gentlemen, native-born in the colonies, who had amassed fortunes, coming to spend the autumn of their days in this country? Of course, there were many other inconveniences incidental to this portion of the Bill. There was the immense amount of litigation which was almost certain to take place in determining whether a man was or was not domiciled in this country, because immense issues would depend upon that, and then it would be exceedingly difficult to get men to act as executors in such complicated cases. But these were all

comparatively small matters. What he protested against, and objected to in the Bill, was the introduction of a principle which, however it might be viewed in theory, in practice limited the rights of the self-governing colonies to use the whole field of taxation open to them for the purposes of their own revenue. He objected to that, and he objected to the Parliament of the United Kingdom dictating in practice—as by this Bill it did—to the self-governing colonies the manner in which they were to raise the taxation and the amount of that taxation. The principle was a thoroughly bad one. It was through the adoption of a similar principle that Great Britain lost the vast Empire which had now developed into the United States. We lost that by an act of the most culpable imbecility, and it would be a most lamentable thing if anything of the same kind should in any degree weaken the ties which bound the Mother Country and the colonies together. He had always held—and whenever he had had the opportunity he had always stated—that in his humble opinion the whole future of the country and the welfare and very existence of the teeming millions of our industrial population depended on the maintenance of the Empire, of the unity of the Empire, and upon its growth and development. Whatever might happen in the future, whatever might be done in the way of closer fiscal arrangement or of legislative union—whatever might be done in those ways, one thing was quite certain: that the one binding tie which would hold the Colonies to the Mother Country and the Mother Country to them was the sentimental tie of absolute confidence in each other, and of affection and trust. He deprecated as strongly as he could anything which would have a tendency to weaken that tie. The effect of the Bill, or of the part of it of which he was speaking, might not be immediately very large. That, to his mind, made very little difference. It certainly had caused a feeling of uneasiness; it certainly was creating a feeling of distrust, and he did not think he should exaggerate if he said that it had engendered some feeling of indignation. Whether it had a large effect or whether it had a small effect was a matter of

comparatively small importance. What he objected to and what he protested against was what he should have thought impossible, and what he did not believe any sane man a few months ago would have thought possible had happened—that the Government of this country had introduced into a Bill the principle that Parliament here had the power to interfere in any way, directly or indirectly, with the absolute rights and privileges of the self-governing colonies to arrange the amount and nature of their taxation themselves.

\*THE DUKE OF RUTLAND said, seeing that no Member of Her Majesty's Government was prepared to take part in the Debate at this moment, he ventured to intrude himself for a few moments on the part of the subject which had not yet been discussed. The speech of the noble Duke who spoke second in the Debate (the Duke of Devonshire) presented so clear and cogent and crushing a criticism of the principles and main provisions of the measure that he did not think it in the least degree necessary to deal with that part of the question. Budgets might come and Budgets might go, but Chancellors of the Exchequer were not necessarily permanently fixed in their seats of office, and doubtless there would be opportunities in the future to mitigate, if not altogether to remove, the iniquities and injustice of the present measure. The principles, however, which underlay their Lordships' action, and the traditions which they represented, had a permanent interest, and he hoped they would not be subjected to any kind of derogation in the course of these discussions. Now, in the opening of these Debates he must say he took exception to the language in which the rights and privileges of the House of Lords in this matter were spoken of by the Prime Minister, the official guardian of them, and by the noble Earl the Foreign Secretary. He knew not whether it was the intention of either of the noble Earls to speak in the course of the Debate. If so, perhaps they would give some explanation of the language they used, which, it seemed to him, was open to criticism and hostile comment. The Prime Minister had said—

"I do not think that it is necessary, for the purpose of passing the Bill, that your Lordships should make yourselves masters of it; because I deprecate the idea that the House of Lords has anything to do with Money Bills."

Taken strictly, that would imply that their Lordships ought not to assent to this measure, because it was impossible to conceive passing a Bill to mean having nothing to do with it. They, however, understood what the noble Lord meant. He wished, no doubt, to close the mouth of the noble Duke and of every other Peer in the House who might wish to express a hostile opinion of the principles and provisions of the Bill. But the noble Earl the Foreign Secretary went further. The noble Earl the Prime Minister simply deprecated discussion. The noble Earl the Foreign Secretary was kind enough to tell them what rights the House of Lords had with respect to these Bills. He said—

"I should like to know whether it is intended by the noble Marquess to affirm that this House has exercised the privilege of amending any Money Bills. I have always heard that this House could exercise the power of rejecting a Money Bill as a whole; but I have also always heard that amendment of a Money Bill, whatever may be the abstract right of this House, has long been refrained from. If it is about to be introduced on this occasion, I only hope that the noble Marquess will give us notice of any Amendment before he moves it."

Now, he wished to answer such doctrine, not in any language of his own or in the language of any Tory Peer, but in the language of Mr. Gladstone. It was a curious fact that the Foreign Secretary's statement, already referred to, reproduced almost literally a statement made in 1861 by Mr. Newdigate. Mr. Newdigate was the authority for the statement that the House of Lords had the power to reject but not to amend a Money Bill. And here was the language in which Mr. Gladstone, then Chancellor of the Exchequer and Leader of the House of Commons, answered Mr. Newdigate—

"The hon. Member has again fallen into an error which I hoped would have been avoided after the discussions we have had. He said that the House of Lords may not alter a Money Bill, but may reject it. I should like to know where it is that the hon. Member has learned that the House of Lords are possessed of a power of rejecting in any sense in which they are not possessed of a power of alteration. No doubt you may quote the dicta of important persons in the House of Lords; but the dictum a Member of the House of Lords does not

bind the House of Lords; and by no proceeding has that House ever surrendered, as far as I know, the right of altering a Bill, even though it touch a matter of finance. If I might say, for my own part, though anxious to vindicate the privileges of this House against the House of Lords where need may arise, yet I think that the House of Lords is right and wise in avoiding any formal surrender of the power even of amendment in cases where it might think it justifiable even to amend a Bill relating to finance."

Now, people had expressed some surprise that Mr. Gladstone in 1861, during his great conflict with the House of Lords on the subject of the Paper Duty Repeal Bill, should have thus gone out of his way to vindicate the right of the House of Lords, not only to reject, but to amend a Money Bill. He (the Duke of Rutland) was not so much surprised himself, because he could remember the year 1853, when Mr. Gladstone was Chancellor of the Exchequer and played a very distinguished part in the Coalition Government. If he remembered rightly, it was called "the Government of all the talents," and it did, certainly, combine a very unusual amount of political and statesmanlike wisdom. In 1853 Mr. Gladstone for the first time sent a Money Bill up to the House of Lords imposing a Succession Duty. The Bill was contested. Lord Derby moved an Amendment in Committee, and Lord Aberdeen, then Prime Minister, replying to him in his courtly and stately way, uttered some words of warning to the effect that the House of Lords had better not put itself into conflict with the House of Commons on such a subject. The Debate went on. Strong speeches were made protesting against the line which it was supposed Lord Aberdeen had taken in derogation of the rights and privileges of the House of Lords. What happened? A very distinguished Member of the House, the late Earl Granville, after quoting the opinion of Lord Chatham "that gift and grant is of the Commons alone," said—

"He believed he stated the opinion of all his colleagues when he said that they did not agree with the doctrine there laid down—that they did not agree with the doctrine of non-interference on the part of their Lordships' House, nor did they deny the right of their Lordships if they thought proper to interfere with or make alterations in a Money Bill."

In making that statement, Earl Granville was speaking, not for himself only,

*The Duke of Rutland*

but the Government, including Lord Palmerston, Lord John Russell, Sir James Graham, Mr. Gladstone, and he knew not how many more of the most distinguished men of the day. The Debate went on. The Government debated the question exactly as it would debate any other question in the House of Lords. A Division was taken, and the Coalition Government having then a majority in the House of Lords defeated the Amendment of the Earl of Derby, but there was no attempt after that speech of Earl Granville to suggest that the House of Lords was debarred from debating and dividing on that or any other Amendment to the Bill for the imposition of a Succession Duty. He had said so much because he wished, if he could, to extract from some Member of Her Majesty's Government an expression of opinion as to the old constitutional doctrines to which he had referred. It might be said that, with the exception of the Amendment moved by Lord Derby in 1853, there had been no case in which the House of Lords had amended a Money Bill in anything like recent times. That was not so. In the course of that very Debate Lord Derby quoted a case that had been mentioned to him by Lord Monteagle—who had been Chancellor of the Exchequer as Mr. Spring Rice—in which the House of Lords, in the case of the Stamps Bill, amended it and sent it down to the House of Commons. Mr. Spring Rice gave an account of what happened. The old form was had recourse to. The Commons laid aside the Bill, and then immediately afterwards introduced a new Bill incorporating the Amendment of the House of Lords. That Bill was sent back to the House of Lords, and it became the law of the land. That was the practice, no doubt, in the old days, and it was adopted as he now mentioned during the Chancellorship of the Exchequer of Mr. Spring Rice, not so very long ago. Many of their Lordships remembered Mr. Spring Rice. He did. Mr. Spring Rice was an extremely able and ingenious man, and if he had seen his way to rejecting the Amendment of the House of Lords to the Stamps Bill, he would have done so. But he accepted it, and the Bill became law as amended in the House of Lords. He had quoted these facts because he felt that it was of importance

that their Lordships should take a firm stand against the attempt which had been made, perhaps unconsciously, by the two noble Lords opposite to minimise, discredit, and possibly destroy their Lordships' undoubted privileges. He would conclude by reminding the House of the Resolution which it passed in 1671 to the effect that the right to reject or to alter and amend a Money Bill was an inherent and fundamental element of their Lordships' House.

**THE DUKE OF ARGYLL :** I confess that I did not take so seriously as the noble Duke behind me the off-hand statement of the Prime Minister, the other night, that this House had nothing to do with the Finance Bill. I interpreted it, and I think that later circumstances have confirmed the interpretation, that the Prime Minister and his colleagues in this House are as little anxious to speak on the Bill and defend it as some of us on this side of the House, and wish to maintain a discreet silence. That is all I understand him to mean. But, my Lords, I believe that I am the only Member of the House now living who was a Member of the "Paper Duty Cabinet" of 1860—unless the noble Earl opposite (the Earl of Kimberley) was a Member—was he?

**THE EARL OF KIMBERLEY :** No. I was a Member of the Government, but not in the Cabinet.

**THE DUKE OF ARGYLL :** Yes; I believe I am the only Member of the House now surviving who was a Member of that Cabinet, and I wish to say a few words on the matter which I believe to be of some importance to the honour, credit, and historical truth of the records of the proceedings of this House. The present Bill may be called an omnibus Bill, embracing the whole of the financial arrangements of the year, and not merely a Bill for the establishment of the Estate Duty or the alteration of the Income Tax, and so on, but embracing the whole field of the Budget of the Government. That form is due to the course which your Lordships' House took in 1860. I am very reluctant to say anything at the present moment which may seem to revive personal discussions with my right hon. Friend who was lately at the head



of the Government, and has now retired practically, I am sorry to say, under personal suffering into private life. At the same time, it is my duty to state the facts to this House, because not very long ago at Glasgow he made a considerable attack on this House, and he said that the House of Lords had in a very off-hand and assuming manner rejected a Money Bill; that as a punishment he had determined that in future all the financial arrangements of the year should be embodied in one measure, so that there should be no opportunity of amending, and their Lordships would have no alternative but total rejection or total acceptance. Now I wish the House and the country to understand what the facts of that case were. In 1860 Mr. Gladstone proposed one of his great Budgets, and I look back with pleasure and pride to the fact that, both in the Cabinet and out of the Cabinet, I was a warm supporter of all Mr. Gladstone's great Budgets. That Budget, part of which was the repeal of the Paper Duty, was carried in the month of April by a large majority—the full majority which the Government had at the time, and that was no inconsiderable one. It was not a majority of 2, such as the noble Earl opposite says he would be satisfied with, nor 20, nor even 40; but, if I remember aright, it was 50 at least. Very soon afterwards the China War broke out, and before many months had passed Parliament and the country became aware that very heavy charges had been incurred and that new taxes would be required to meet the expenditure of the war. In these circumstances a reaction of feeling, with regard to the Paper Duties, took place, not only in the House of Lords, but in the House of Commons. Lord Palmerston, I think, made no secret of his dislike of the repeal of the Paper Duty, not on its merits but as sacrificing a large amount of Revenue at a dangerous moment, and when the public did not know what might be the substituted taxation. Under these circumstances, when Mr. Gladstone brought in his Bill his majority dwindled from 50 to 8. This showed a great reaction in the opinion of the House of Commons. The Bill was carried notoriously against the feeling of the House by a majority which did not cover the actual official Members of the

*The Duke of Argyll*

Government. It was in these circumstances that the Bill came to your Lordships' House. I was a Member of the House then, and I spoke strongly against the course your Lordships took. I did not think it was a wise or prudent exercise of power, but no one doubted for a moment that it was in the right of the House of Lords to give effect to that opinion. What I want to point out is this: that that was the last occasion, so far as I know, on which the House of Lords has ever exercised the power either of amending or rejecting. Rejecting has never been disputed. We have a right to reject. But the House of Commons has said "If you amend we throw out." That is how it came about. It is not that we have ever acknowledged the limitation of our right. It is that if we amend, the House of Commons rejects, or will not go on with a Bill, and, therefore, there is no alternative between total rejection and total acceptance. What I complain of in the speech of Mr. Gladstone at Glasgow is that the House of Lords acted in a defiant manner towards rights and privileges of the House of Commons. The action of the House of Lords was due to reaction in the House of Commons. The Commons repented of its earlier vote, and undoubtedly, and it was quite clear that in its vote on that occasion this House was under the impression that it was giving effect to the opinion that then prevailed in the House of Commons. I now come to the events of 1861, for which I no doubt was fairly responsible, and I did not like them at the time. I have had the curiosity to look back at Mr. Gladstone's speech on the Second Reading of the Bill of 1861, and there I find he distinctly admits that there were serious objections in the previous year, but those objections had disappeared, and his words implied that the House of Lords could not be seriously blamed. He said—

"This is the important fact: that the repeal of this duty received the sanction of a large majority of this House last year, and that the majority dwindled on the subsequent occasion in face of the fact that new demands for public purposes had come into view, and because it had become obvious that some new fiscal measure must be passed to meet the wants of the Exchequer. Such being the case, we are of opinion that we are now under altered and happier circumstances, and are making proposals that will not only receive the



acquiescence but the approval of the House of Commons."

These words implied not great censure on what was done by the House of Lords, but rather an admission that the House of Lords had merely acquiesced in the course taken before, and that now they would approve of the Bill. Mr. Gladstone then took the course, which he has since boasted of as an invention of his own, of putting all the financial arrangements of the year into one Bill, so that the House of Lords would not have an opportunity of considering the different items of the Budget, even with the view of slight alteration or objection. I wish now to say that I repent, and have always repented, of having been a party to that course. I do not think it a right or statesmanlike course to dodge or trick either House of Parliament out of its undoubted rights and privileges. I did not think it at the time I was a party to it, but I think now, and have long thought, that the course then taken was unworthy of the Government of the day. That, then, is the reason of this omnibus Bill. After the speech of the noble Duke opposite, in which I almost entirely concur—indeed I do entirely concur with it, though, of course, in a Bill of this immense importance there are, naturally, points of detail on which our criticisms would vary—it is not my intention to enter into any elaborate argument against the Bill, and I will only say that it is a Bill which taxes capital as opposed to income. I do not mean to say that the existing law does not tax capital, or that the principle of taxing capital within moderate limits is not in itself a legitimate thing; but everyone who has read anything of political economy knows that the masters of political economy have dwelt upon the danger that such a policy involves, because capital is the great source of employment of the poorer classes. This Bill attacks and taxes capital to an extravagant degree, and especially the capital in connection with land, although agriculture in this country is now in the greatest distress and requires a large outlay to cope with its difficulties. My noble Friend the noble Duke said that the new tax will, in many cases, amount to four or five years' rent, but I think my noble Friend has really understated the

case. I have no doubt about it. I do not think the public generally—I do not think those Members of your Lordships' House, who are not yourselves landowners on a considerable scale—understand the enormous outlays necessary in the management of landed property. I am not speaking of those charitable and public-spirited obligations to, which my noble Friend alluded in his speech at Buxton and again this evening. They are theoretically more or less optional, although practically they are obligatory. I speak of the outlay necessary in the management of property to maintain the rents and improve the habitations of the labouring classes and the tenantry. On an estate of my own on which there is no residence or luxurious expenditure of any kind, but which is purely an agricultural estate, I find that in the last 20 years the absolutely necessary outlay has amounted to 33 per cent. It is a gross fallacy to say that you are treating the two classes of property—realty and personalty—with equality, when you levy the same tax on a man who has £100,000 in the funds and one who has £100,000 invested in land, subject to all these burdens. It is not equalisation; it is throwing an unjust and especial burden on a particular class of property. I am glad to say that the Bill admits a difference between realty and personalty. A concession was made to realty. It allows, I think, 5 per cent. for management, but so far as I can make out it allows nothing for repairs or improvements. In the clauses affecting the the Income Tax it allows a reduction of  $\frac{1}{8}$ , or 12 per cent., but that is utterly inadequate to meet the expenditure on landed property at the present time, remembering what must be the enormous amount of rural labour represented by anything like 33 per cent. on the land in this country. Schedule A of the Income Tax represents £197,000,000 according to the last Return, and if we calculate 33 per cent. of that great sum we shall see what an enormous amount of employment we are touching, and touching to a dangerous extent. Now, I am not very fond of abstract principles which have been laid down by political economists about taxation; they all seem to me to be plausible in expression, but untranslatable into practice. There is, for instance, the

service rendered by the State. It is said, and very plausibly, that the State renders larger services to the man whose succession is £500,000 as compared with the man whose succession is only £10,000. My Lords, I am not sure of that doctrine. I hold that the service the State renders to the working classes in securing them peace and liberty and security of property is even greater than that which it renders to the rich. The rich and powerful can often defend themselves, but the poor cannot. And if you touch capital, which is the source of employment, and above all if you touch the spirit of enterprise, which commands capital and lays it out, you withdraw a great service that the State ought to render to the working classes. Then the doctrine of "equal sacrifice"! How to you translate that? As far as I can see, it means that you are to take away from the rich everything but a small modicum of income. That is the outcome of the principle and is what many are aiming at. Could there be a greater folly committed? Is it not certain that the increase of wealth and the multiplicity of human desires—the ambition of men to live in fine houses, to have fine furniture, and fine gardens, and fine flowers—is it not true that all these desires are the sources of employment to the people? Is it not your object to increase wealth in order that you may increase and multiply the desires of men? That is the object of all civilised Governments. To direct the attention of the people, as the noble Lord opposite has done to-night, in an individual sense, to large pieces of land that are kept for luxury is to misdirect their attention altogether as regards the real question. A good course of taxation is that nobody shall be oppressed, and that, if possible, the taxation of the country shall be so levied that nobody shall be conscious of an exceedingly heavy and oppressive burden. That would be the *ne plus ultra* to be desired in taxation. One of the sub-sections of the Bill fully admits that there is danger of oppressive taxation or oppressive results from the Bill—the 9th sub-section of Clause 8. It says—

"Where the Commissioners are satisfied that the Estate Duty leviable in respect of any property cannot without excessive security be raised at once, they may allow payment to be

postponed for such period and to such extent as the Commissioners may think fit."

What does "excessive security" there mean? It does not mean the amount of the tax, but something is to be the loss of the person assessed. That is to say, that the subject who pays the tax is to pay more than the estate gives. That is the worst description you can give of your tax. Relief is in the discretion of the Commissioners. That is, if they are hard-hearted they may refuse a remedy. Those who are assessed may go to the Commissioners and say, "I cannot sell my property without great loss," and the Commissioners then have power to give some relief. I do not say that the tax will always act oppressively, but it is liable to do so; and that is a strong argument against it. But I look at the whole spirit of the Bill more than at its details. It is intended, I think, to direct the attention of the people to the increasing taxation upon capital—in my opinion a most mischievous thing in regard to the welfare of the world. What are we suffering from now? Universal depression. I will not go into the question whether currency has anything to do with it—I do not believe it is the principal cause—but everyone attributes it to want of enterprise, due to want of confidence in the remuneration of employment and in all the conditions of society. Every measure, however little in its scope, which adopts new and violent principles, tends still more to unsettle opinion and to discourage the industry of the world. That is my great objection to the Bill, though I feel that in the position in which we are placed we can do no more than protest against the dangers of this class of legislation.

THE LORD CHANCELLOR (Lord HERSHELL): I can assure the noble Duke that it is from no doubt or hesitation as to the principles on which this measure is founded, and from no unreadiness to defend it, that no Member of the Government has up to the present moment intervened in this Debate. In fact, I myself was on the point of intervening in answer to the noble Duke (the Duke of Rutland) when my noble Friend the noble Duke who has just spoken was beforehand with me. I have not now to express my views without having heard

*The Duke of Argyll*

his, as I otherwise should have been obliged to do. I will first deal, in only a word or two, with the two questions that have been raised that do not affect the main principles of the Bill. The first is the constitutional question of the position of the House of Lords with regard to Money Bills. I do not suppose it can be doubted that this House could reject a Money Bill, or could refuse to read it a third time. Whether, having regard to a practice which has prevailed now for a couple of centuries, it would be a constitutional or proper thing to do, and whether the consequences might not be more serious to the House itself than to the Bill rejected, is a matter for consideration; but as to the abstract right to reject the Bill there cannot be a doubt. As regards the amending of a Money Bill, the case is as stated by the noble Duke. The House of Commons does not recognise the right of this House to amend a Money Bill, and if this House amends a Bill of that kind the other House sets the Amendment aside as an encroachment upon its own privileges, and the Bill drops, so that the insertion of the Amendment is equivalent to a rejection of the measure—that is to say, the rejection of the Bill is brought about by the action of this House. The question of the amendment of a Money Bill was considered a few years ago by a Committee of the Privy Council, at which Members of the Judicial Committee were present. The question was submitted in connection with the action of the two Houses forming the Legislature of one of our Australian Colonies. The Committee of the Privy Council was asked whether it was the constitutional right of the Upper of the two Chambers to amend a Money Bill, and the answer was that, as the two Houses appeared to have been established upon the same basis as regards their mutual relations as the House of Lords and the House of Commons, it would be unconstitutional in the Upper Chamber to amend a Money Bill. I now must refer to the speech of Lord Dunraven, who seems to be under the strange misapprehension that this Bill contains an assertion of the right to tax the colonies. There is nothing in the Bill that can be viewed as a provision for taxing the colonies in any way. If this be taxing the colonies, they have been taxed for I do not know how long in pre-

cisely the same way. Just as this Estate Duty will now be charged upon the property in the colonies of persons domiciled here, so have Legacy Duty and Succession Duty always been charged upon such property since their creation. If the property in the colonies of persons domiciled here were exempted from this taxation, anyone who wished to escape the Estate Duty would only have to invest his money in the colonies. To speak of this Bill being a taxation of the colonies because you tax all men domiciled here in the same way, wherever they invest their money, seems to me to be a delusion. Regard cannot be paid to the particular form in which a man has chosen to invest his property. But to meet the complaint that people might be unwilling to invest in certain colonial securities, and in order not to discourage such investments, a provision has been inserted in the Bill to the effect that when there is a similar tax in the colony an allowance in respect of that tax shall be made in this country to the successor to the property. A man, therefore, has just as much inducement to invest his money in the colonies as he ever had, and it is very wide of the mark to call everything in this Bill a taxation of the colonies. I now pass to other parts of the Bill. Taxation, of course, is never pleasant to the subject of the tax. We none of us like to be taxed. We all of us would be glad to be rid of the burden, and when any addition to taxation is proposed it is not an agreeable topic to any one of us, and it is impossible to make any addition to taxation without causing here and there, and possibly in many directions, not a little hardship. If a tax is to be pronounced a bad or unjust one because a number of cases can be pointed out where it would operate hardly and severely, no tax has been invented, or ever could be invented, which would not come under condemnation. In the speech of the noble Duke (the Duke of Devonshire) one fact was ignored throughout—namely, that if the burden of taxation upon those whose views he expressed had been made lighter, the burden of taxation upon some other class of persons must have been heavier. That would have been absolutely inevitable. Nobody doubts that a large sum of money had to be raised, and had to be raised by taxation, and it is not enough

to show that, as regards particular persons who would be made subject to these duties, hardship would result, unless you can show that if the burden had been shunted on to other shoulders there would be less hardship and more justice. Unless you show that, it does not seem to me that you have taken a single step towards proving your case. What is the first principle that underlies this measure? It is that real property and personal property should be taxed alike. I know it is said that there are reasons why the distinction should be made which is now made. I think I can show that if such cases exist they are exceptional; but let me put to your Lordships a case which is typical of the great bulk of real property which will be affected by the Bill. Let me remind you of this: that agricultural property forms less than half the property that will be taxed, and that urban property forms considerably more than half. Take the case of London. There are in London a vast number of leaseholders who have, many of them, paid a considerable sum of money for their leases, and when one of them dies his successor is taxed substantially in respect of his succession to the lease; but when the freeholder dies only 1 per cent. is paid in respect of the property, and in the case of the freehold the property increases in value, while in the other case the value is vanishing. Why should there be this distinction? It is manifestly unjust. As regards urban property such as this, the change effected by this Bill is undoubtedly right, for it readjusts a burden which fell unfairly and improperly upon one person instead of another. Let me give another illustration. In many parts of the country, particularly in Lancashire, there are considerable portions of land held on leases for 999 years. Between this tenure and freehold tenure there is practically no difference, yet these leaseholds are in the eye of the law personalty, and Probate Duty has to be paid upon them, whilst freehold land is not subject to that duty. Why should there be this distinction between cases only differentiated by the accident of tenure? You might have two properties equal in value, the one paying many pounds in the form of Death Duties and the other paying nothing. Now I come to the question of real property. It is said that it is unjust to

deal with real property in the same way as personal property because of the local rates real property has to bear. Now, my Lords, let me put this case: A man leaves to his two sons an equal amount of money. The one invests his money in Consols, and the other in the purchase of an estate. The one who puts his money into Consols is heavily taxed; but the one who puts his money into an estate escapes taxation—not altogether, of course, for there is 1 per cent. Estate Duty. I am speaking now only of the Probate Duty, which, of course, is a great deal more. On what principle, under these circumstances, should one pay a large contribution to taxation and the other pay nothing at all? I think it would be impossible to justify it. I know to the intelligent foreigner it would be impossible to understand it without a considerable dive into the history of the past. Let me invite your Lordships' consideration to this point when the burden of rates is spoken of. Suppose the person on whose death the taxation is to be imposed had purchased the property. He would have given so much less for the property on account of his having to bear the burden of the rates, and to treat it as property to be subjected to less taxation because it is rated, when he got it for less money because it was rated, obviously would be unjust and, I should almost say, absurd. If he succeeded to the property, and did not purchase it, he succeeded to it subject to the burden of the rates, and therefore, in the one case as in the other, you are not taxing the owner of the real property in any way unfairly as compared with the owner of personal property if you tax them alike. It may be said that the taxation borne by agricultural property is much greater than it was, and consequently that the land is bearing an increased burden in that way. But I believe that, as regards agricultural land, the facts show that there has been no such increase of burden. The subventions which have been made in aid of local taxation have resulted in this—that there is now no greater burden on agricultural land than there was 40 years ago. Of course, there may be exceptional cases; but the statistics show, if you take the country generally, that that is so. Therefore, the very foundation for an exemption to some extent in

favour of agricultural property as compared with personalty is taken away; and if we are to take the taxation off realty and put heavier burdens upon personalty, it seems to me that we shall only be adding to the injustice which, I think, has in many directions been committed in the past. I have no doubt that this new taxation will fall in certain cases hardly upon the successors to owners of land, and no one could desire less than myself that any such hardship should be felt by anyone. I do not view this Bill with any greater enthusiasm if it be the fact, as the noble Duke has said, that the results of it will be those which he described; but what we have to consider is this—if this burden is not to be borne by owners of real estate, who are to bear it? Somebody must bear it. Where is the money to come from? The noble Duke has pointed out objections to increased taxation on capital. But what is the alternative? More indirect taxation? If so, in what direction will you go for it? In this Bill there is an additional tax put upon the only source of revenue which it is apparently easy to tax—or rather, which it was thought easy to tax nowadays—but experience has shown that it is not so easy to tax it, for there seems to be an objection to further taxation on alcoholic liquors in any form. If, then, you are not to tax alcohol, where are you going to find your indirect taxation to fill up the gap which will arise if you tax real property less heavily? No suggestion has been made as to where it is to be found; and I cannot but express the fear that the last course which has been taken with regard to the imposition of duties on alcohol will render it extremely difficult to find any sort of property to tax but accumulated capital or income. Then, if it is impossible to have any further indirect taxation, where is the money to come from? Would you put a further tax upon income, or an additional tax upon personalty? As far as I can see, there is only the one or the other of these alternatives. There can be no doubt that on many the Income Tax presses very hardly and will press hardly, even with the changes that have been made in this Bill; and I would remind your Lordships that there is a cry, which many admit the justice of—even though they see the difficulty of giving effect to it—that the

Income Tax at present operates very hardly on those whose incomes are derived from personal exertions and personal efforts as compared with incomes derived from accumulated property. I do not think it is possible for anybody to doubt that the weight of the burden is more severely felt in the one case than in the other, and I think your Lordships will hesitate before insisting that realty ought to be relieved at the expense of a further burden upon incomes. The man who is struggling to earn for himself and his family support by the exercise of his faculties is, after all, earning a very precarious income. His health may give way and the income cease; while the man whose income is derived from accumulations of the past is subject to no such precariousness. Therefore, there would be very grave objections to shifting the incidence of taxation from real property to income. Then ought the extra burden to be made to fall on personalty? We have heard to-night rather the views of those who are possessed of realty; but I fancy if we were to listen to the views of the owners of personalty, if it was suggested to shift these burdens on to their shoulders, we should hear a pretty strong case made out of hardship. The truth is, that taxation of this kind without inflicting hardships here and there is absolutely impossible. The noble Duke who spoke early in the Debate pointed out—and no doubt it may be true—that the result of passing a measure of this sort may in particular cases lead to a cessation of employment of those who have hitherto been employed. But if the burdens are shifted on to other shoulders, these persons who would have to pay would have so much less to spend upon labour of every kind. The truth is, the result would be precisely the same in either case—though it is an open question as to which class would spend the money more advantageously for labour—and to say that you get rid of a source of payment for labour by taxation of this description appears to me a complete fallacy. I cannot help thinking that, in spite of what the noble Duke has said, the effect of this measure on the amount likely to be payable by owners of real property has been considerably over-estimated. I quite agree that where there are a



number of places to be kept up, it may be difficult to say precisely what will be the effect of the Bill ; but even in those cases I think the results have been greatly overestimated. As regards agricultural land, we can form a very tolerable estimate because the method of calculation is plainly laid down in the Bill. You are to take the assessment of the Income Tax, you are to deduct 5 per cent. for management, you are to deduct all the outgoings which are allowed to be deducted under the Succession Duty Acts, and then, when you have arrived at that net result, it is to be no more than 25 years' purchase. I have calculated what that would be in the case of the highest tax of 8 per cent., supposing an agricultural property to be over £1,000,000 in value, and I find that the calculation I have made precisely agrees with that of others. It would amount to something like two years' income. Now, with regard to graduation, allusion has been made to the question whether it is a just and sound principle. No doubt any principle of graduation at all, when once it is admitted, carries with it a certain danger. No one can deny that, because when once you begin a system of graduation there are perils to be encountered. But this Bill does not introduce for the first time the principle of graduation. It has been admitted and has become part of our fiscal system prior to this Bill being introduced. In this Bill, it is true, graduation is made more systematic, but cannot be said to be a new departure in point of principle, when you have had graduation already as regards Income Tax, Inhabited House Duty, and Estate Duty. The only question, then, is—Is it excessively applied, or unreasonably applied in this Bill ? That is a matter on which I can well understand different views being taken. I daresay there are many of us who would rather not have increased taxation imposed in the form of graduation. After all, we must bear in mind the situation in which we are placed. I thoroughly concur with Lord Farrer, that if you do not reasonably adjust our fiscal burdens in some such fashion as this Bill proposes to do, you may reach a point at which you will be driven to unjust and unfair legislation. Of course, I am not saying that you should admit a principle that you see is leading to an evil end ; but when once

the principle of graduation has been admitted, it seems to me that a reasonable use and adaptation of it is a wise thing, a judicious thing, and a conservative thing, and is not really a source of danger. It is of no use shutting our eyes and turning deaf ears to what we know is going on around us. There are put before the people many theories of taxation, which, I believe, would lead to disastrous results. It is proved by experience that it is far safer to take timely steps in the direction desired, so far as it can be done justly, than to bide one's time, and take no step until you have to take a step far longer than is agreeable. I have heard no argument to show that this taxation, graduated up to 8 per cent., is either unfair or likely to be oppressive. All the arguments we have heard have had relation to the effects the taxation would have upon the owners of real property. I believe very little has been heard from the owners of accumulated wealth when it takes the form of personality ; though, no doubt, the taxation is not agreeable, yet no unwillingness to bear the burden has been displayed. I admit that in some respects, owing to social conditions, the Bill will press more hardly in the case of realty than in that of personality ; but this is one of those accidents which it is impossible to avoid when you are dealing with questions of taxation ; and it appears to me that every effort has been made in the Bill to mitigate the effects of this pressure. Noble Lords have said that the danger of this taxation is that it will prevent the accumulation of capital. But in that argument there lurks a great fallacy. The accumulation of capital in this country does not consist in the fortunes of a few wealthy men ; it consists, in the main, of the savings of men of limited wealth and men but moderately well-to-do. The aggregation of the small amounts of wealth possessed by these classes is enormous when compared with the capital which is possessed by or attributed to the millionaires or the semi-millionaires. This is shown by returns relating to the Death Duties, which indicate how accumulations diminish when you get above the line of £300,000. The true inference is that taxation of this description is not likely to lead men to accumulate less than they did before. Some, I daresay, will do so ; but if by

*The Lord Chancellor*

accumulating less they spend more, the result will be that other men will receive more, spend more, and accumulate more than they did before, and by that means if accumulations diminish in one direction they will grow in another direction. Of course, individuals differ. It is not every one who might do so who accumulates now; whilst there are men, with no one to accumulate for, who nevertheless accumulate very largely. Others accumulate from habit or for the sake of their children; and this desire and this habit will not cease on the passing of this Bill. I do not believe that its operation will touch the accumulation of capital. I do not believe that it will injuriously affect the industries of the country. Of course, there may be some displacements in the employment of labour; but it will not lead to a single man less being employed, or a penny less being paid in wages. Whilst I regret, and all must regret, that any hardship should be inflicted by the Bill; whilst I cannot help feeling sympathy with any who may suffer owing to the passing of the Bill; yet I think that, if it be judged, not by individual classes but as a whole; if it be judged, not according to the views of those who may be interested this way or that, but according to the impartial judgment which posterity will pass upon it, its provisions will be found impregnable just.

**LORD HALSBURY:** At last the silence of the Ministerial Benches has been broken, and a Minister has explained to some extent the defence of this measure. And what is the defence of this measure? It comes to two propositions: The first proposition advanced in support of the Bill is that we must have money, and we do not know where else it is to be had; and, secondly, it is assumed—and this, in principle, is the whole question of the Debate—that realty has not been taxed in the same proportion and to the same extent as personality. That proposition has been assumed throughout the whole of the Debate; but it is a proposition in dispute, and upon that subject I have not heard much from the noble Lord on the Woolsack. Upon the preliminary question, I do not think that it is very important to address your Lordships. I cannot agree that we have no power to reject or to amend this Bill, and that, there-

fore, it is to be assumed we have nothing to do with it. We are not yet completely accustomed to government by machinery; we do not assume that, because there is a certain majority in the House of Commons or in the House of Lords, we have got rid of discussion altogether. There is something in intelligently appealing to the common sense of the country, even if you cannot alter the judgment of one House or the other; and it appears to me that it would be an abnegation of one of the great functions of Parliament—whence its name—if we were to abandon the notion of discussing a matter because we rightly or wrongly assumed that we have no power to do what is so practically manifest at the end of July—namely, to reject a Bill intended to provide for the finance of the year. It may be quite true that you must have an income and that it must be got in some way; but one would have expected something to be said in defence of the particular manner in which the Bill proposes to raise it, some argument that a special form of levying a tax is just and will operate fairly as between different classes of the community. If you want us to accept your financial proposals, it is not enough to say boldly—"We must have the money, and we can't get it anywhere else." Something has been said about the danger of refusing to pass this measure because Socialism is abroad. That argument is a very old friend; we have heard it on almost every subject upon which this House was likely to take a different view from that of the other House. Surely it is a desirable thing we should know whether it is true that land does not bear its fair proportion of taxation at present. I understood that a Member of the Government had promised an inquiry upon this subject, and it was said that if it should turn out that land was unduly taxed the injustice should be remedied. But I am afraid from the language of the Lord Chancellor that it is a predetermined issue, and that we are going into this inquiry fettered by the declaration of a Minister that land is not unjustly taxed. Are not local improvements paid for out of rates, and are not rates levied on the land? It may be true, as Lord Farrer said, that the occupier pays; but is it always true that the land that pays finds the money? I wish the noble Lord had heard a speech I recently



heard by a tenant farmer who, speaking upon this measure to his own class, said—"You know what it is to have a successor to an estate who has not got much money. You know the difference between a landlord who is able to help you and an impecunious landlord." He added that the effect of this Bill would be to make nine-tenths of the landlords impecunious for three or four years after their succession, the very time when they most wanted money to spend on their estates. This Bill is supposed to be a bid for the agricultural vote; it is supposed that the cry "Tax the rich and let go the poor" is a popular cry; but I suspect the friends of the Bill will themselves be very much disappointed by the result. The question has been debated by the noble Lord on the Woolsack whether land does or does not pay more in proportion than personalty. The right hon. Member for Midlothian stated the reason why land was exempted from taxation in this form, and it was because land has burdens to bear which personalty has not in the way of rates and charges. Now, I have always understood that the right hon. Member for Midlothian was one of the great authorities on finance. What has happened since he made that statement? Has anything been taken off the land? The noble Lord says there have been subventions. Yes, there have; but ask any person who is acquainted with agriculture and with the incidence of rating and the pressure of rates, whether these subventions have supplied the means for carrying on the agricultural industry to any profitable extent, and you will get but one answer, and that in the negative. The truth is, this Bill is intended to satisfy a cry raised by the London County Council, and caught up in other parts of the country, and supposed to be a popular cry. That appears to be the defence, if defence it can be called, of this measure. There are a variety of things in this Bill which really are not things applicable to the Budget at all, and it is impossible not to see that you are endeavouring in this Bill not merely to impose a temporary charge on land, but that you are endeavouring to alter the law for all time. I observed that once or twice the noble and learned Lord on the Woolsack referred to the Bill as if it were a thing of a year. In one sense that is true; but

*Lord Halsbury*

do not noble Lords contemplate that this is to be the relation between personalty and realty hereafter in all Budget Bills? Or is it true that there is to be an enhancement of those duties—a further driving in of the thin end of the wedge? My Lords, I congratulate the noble Lord that he has not done that which was done elsewhere—namely, bring out the fanciful theory that the State has a right to take anything it pleases upon the succession to property. That appears to have been an argument that was treated with great respect in the House of Commons. I am glad we have not heard that argument here. I do not know distinctly what it means. I suppose that as a mere platitude it is true, because the law permits it. But our system of law is founded on our constitutional system; you have no more right to prevent the disposition of a man's property after his death than during his life. Admitting that all are to be taxed equally, you have no right to demand more from one man than another, and it seems to me that, because property is turned from money into land, you have no more right to tax it excessively in the one case than in the other. It seems to me the Bill is to be a hostile demonstration against the owners of land. Let me take one clause which is grossly unjust, but it is rather as indicating the spirit which has dictated the Bill than that the thing is of cardinal importance. You have objects of art, family portraits which are of value because they are portraits of the ancestors. Some of them are of great commercial value. They are to be part of the property liable for taxation, and although they go as heirlooms, and are settled, you may sell them if you cannot otherwise pay the duties. They may, therefore, be scattered. The noble Lord says the things will remain in England, although they are sold. Will they? Are you sure that the best market for family pictures by some of the great artists of the last century is in England? I should have thought the experience of everybody would have told him that the exact contrary is the fact. That is an illustration of the hostile spirit towards the landed aristocracy which runs through the Bill. It is supposed to be a popular cry. I believe the supposition to be a mistake. It is not a popular cry; but whether it be or not, those who want to defend this Budget

must not assume as a fact the question in debate—namely, whether there is an equal taxation of realty and personalty. The question which we contend and which you have not even affected to disprove is that land at this moment, under the present law, and without reference to this Bill at all, bears a taxation disproportionate to its value, and that you have no right to increase it.

Motion agreed to; Bill read 2<sup>a</sup> accordingly, and committed to a Committee of the Whole House To-morrow.

#### LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 14) BILL.—(No. 150.)

Returned from the Commons with the Amendments agreed to.

#### LOCAL GOVERNMENT PROVISIONAL ORDER (No. 17) BILL.—(No. 123.)

Returned from the Commons with the Amendments agreed to.

#### LAND REGISTRY.

Report respecting; presented (by command) on the 17th instant; to be printed. (No. 177.)

#### PREVENTION OF CRUELTY TO CHILDREN BILL [H.L.].—(No. 169.)

Reported from the Joint Committee on Statute Law Revision Bills and Consolidation Bills with Amendments, and committed to a Committee of the Whole House To-morrow; and to be printed as amended. (No. 178.)

#### LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 15) BILL.—(No. 126.)

Amendments reported (according to Order); and Bill to be read 3<sup>a</sup> To-morrow.

#### COPYHOLD CONSOLIDATION BILL [H.L.] (No. 171.)

Moved, "That the House do now resolve itself into Committee, and that the Lord Privy Seal (L. Tweedmouth) do take the Chair in the said Committee in the absence of the Chairman of Committees:" agreed to: House in Committee accordingly: The Amendments proposed by the Joint Committee made: Standing Committee negatived: The Report of Amendments to be received To-morrow.

#### PAROCHIAL ELECTORS (REGISTRATION ACCELERATION) BILL.—(No. 174.)

Amendments reported (according to Order), and Bill to be read 3<sup>a</sup> To-morrow.

#### BOARDS OF CONCILIATION BILL [H.L.] (No. 112.)

Amendments reported (according to Order), and Bill to be read 3<sup>a</sup> on Monday next.

#### VALUATION OF LANDS (SCOTLAND) ACTS AMENDMENT BILL [H.L.] (No. 163.)

Read 3<sup>a</sup> (according to Order); Amendments made; Bill passed, and sent to the Commons.

#### NAUTICAL ASSESSORS (SCOTLAND) BILL.

Brought from the Commons; read 1<sup>a</sup>; to be printed; and to be read 2<sup>a</sup> To-morrow (The Lord Privy Seal [L. Tweedmouth.] (No. 179.)

#### PUBLIC LIBRARIES (IRELAND) ACTS AMENDMENT BILL.

Brought from the Commons; read 1<sup>a</sup>; to be printed; and to be read 2<sup>a</sup> To-morrow (The Lord Privy Seal [L. Tweedmouth.] (No. 180.)

House adjourned at a quarter before Eight o'clock, till To-morrow, a quarter past Four o'clock.

### HOUSE OF COMMONS,

*Thursday, 26th July 1894.*

### PRIVATE BUSINESS.

#### BRISTOL TRAMWAYS BILL [*Lords*] (*by Order*).

#### CONSIDERATION.

Bill, as amended, considered.

MR. A. C. MORTON (Peterborough) begged to move the following clause:—

"It shall not be lawful for the Company to take or demand on Sunday or any bank or other public holiday any higher rates or charges than those levied by them on ordinary week-days."

He said he was pleased to say the Bristol Tramways Company had met him, and had agreed to accept the clause, with the addition of the words "without the consent of the Corporation" after the word "lawful." The Company had met him in a very friendly way. Tramways had proved to be of great use in this country, but he thought these extra fares on Sundays and holidays ought not to be allowed. He did not think the addition which he had accepted would injure his object, which he had always pursued with regard to other Tramway Companies. He was only following out a course which affected all the tramways of the United Kingdom. He was pleased to say that at the present moment he had got this clause inserted in all the Tramway Bills which had come before the House, and he thought the Tramway Companies had been wise in meeting his views. He would now simply move the clause, with the addition of the words he had mentioned.

Clause brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

MR. TOWNSEND (Bristol, N.) said, he believed the clause would meet the requirements of the citizens of Bristol. The clause in its amended form was necessary so as to enable the Company to obtain the consent of the Corporation to charge higher fares on occasions when large agricultural or other shows were held in the city, when there would be many thousands of people, and when the imposition of the extra fares would be for the public interest and convenience.

THE CHAIRMAN OF COMMITTEES (Mr. MELLOR, York, W.R., Sowerby) said, he had only to say that if the clause, as amended, had been proposed to the Committee on Unopposed Bills it would have been accepted. He had now no objection to the clause.

SIR M. HICKS-BEACH (Bristol, W.) said, he understood that the Company had no desire to exercise these powers; but he agreed with his hon. col-

league (Mr. Townsend), that there might be exceptional occasions when the Corporation should have this suspensory power, such as, for instance, as he had said, during the holding of agricultural shows.

THE PRESIDENT OF THE BOARD OF TRADE (Mr. BRYCE, Aberdeen, S.): Under the circumstances, the Board of Trade are entirely in favour of the arrangement arrived at, which, I think, is one that the House might fairly sanction for the convenience of all concerned.

Clause agreed to.

Bill to be read the third time.

## QUESTIONS.

### TRAINING BOYS FOR SEA.

SIR A. ROLLIT (Islington, S.): I beg to ask the Secretary to the Admiralty whether, having regard to the representations recently made to the First Lord of the Admiralty and the President of the Board of Trade, it is intended to take any steps to secure a more practical training for boys entering the sea service?

THE PRESIDENT OF THE BOARD OF TRADE (Mr. BRYCE, Aberdeen, S.): My right hon. Friend has asked me to answer this question, which concerns the training of boys for the Mercantile Marine more directly than it affects the Royal Navy. I can assure the hon. Member that the representations referred to in the question have not been lost sight of, but the matter is surrounded with difficulties, and, desirous as I am to take any steps that can tend to secure a full supply of well-trained boys for the Merchant Service, I cannot venture to say more at present than that the matter will continue to engage my earnest consideration.

### SCHOOL ACCOMMODATION IN WESTMINSTER.

MR. CHANNING (Northampton, E.): I beg to ask the Vice President of the Committee of Council on Education is he aware that, as the result of a Petition demanding free schooling, the Education Department wrote to the London School Board on 15th May, 1893, saying that the Board should at once begin

to build for 600 places on the St. George's Row site (Westminster, X 1); that on 1st August, 1893, they repeated this recommendation, adding that the circumstances call for the immediate provision of the school, and refusing to sanction the abandonment of the site on the ground of the delay that would be involved; and that the Board in reply to this suggestion wrote on the 19th April, 1894, saying that, if their Lordships so desire, they will erect a temporary school, while refusing to build a permanent one; whether he is aware that nothing has been done towards the provision of this school; and whether, seeing that more than a year has elapsed since Her Majesty's Inspector reported that the free places were needed and the Department wrote that the provision of the school was immediately required, he will take steps to secure to the parents their statutory rights?

**THE VICE PRESIDENT OF THE COUNCIL** (Mr. ACLAND, York, W.R., Rotherham): The facts are substantially as stated in the question. I believe that nothing has yet been done by the Board towards providing a school upon the site referred to. I have now directed a letter to be sent to the Board, stating that they should at once proceed with the erection of a temporary school, and I will consider what further steps it may be necessary to take, if they do not at once proceed to provide it.

#### SCHOOL ACCOMMODATION IN LAMBETH.

**MR. CHANNING**: I beg to ask the Vice President of the Committee of Council on Education, with reference to the letter from the Education Department to the London School Board on 17th of February last stating that it was necessary, in order to supply the deficiency, that the Board should build for not less than 650 in Block H of West Lambeth, whether the Board are making this provision or have undertaken to do so; if not, what steps he will take to enforce compliance with the orders of the Department and to secure the provision of this accommodation, which was sanctioned by the Department in August, 1889?

**MR. ACLAND**: The facts are as stated by the hon. Member. The Department, no doubt, has very large powers in

dealing with School Boards on matters of this kind, but I have not yet decided what further steps to take.

#### THE DEFENCE OF SIERRA LEONE.

**SIR C. W. DILKE** (Gloucester, Forest of Dean): I beg to ask the Secretary of State for War whether the detachment of garrison artillery, shown by the distribution lists of the Royal Regiment of Artillery for June, 1894, to be the Sierra Leone detachment, and stationed at Devonport, is the detachment necessary for the defence of Sierra Leone in the event of war, and commonly known as the Sierra Leone emergency detachment: whether the intention is that that detachment, with or without a theoretic increase on mobilisation in the event of war, is afterwards to be despatched to Sierra Leone; whether the existing garrison on the spot consists only of the headquarters and two or three companies of a battalion of the West India Regiment, of a company of native sappers, and of a detachment of native gunners; and whether inquiry has ever been made into the possibility of increasing the coloured force, capable of supporting the climate, for the defence of this coaling station and anchorage, which have been officially declared to be necessary to the Navy for the security of the Cape route in time of war?

**THE SECRETARY OF STATE FOR WAR** (Mr. CAMPBELL-BANNERMAN, Stirling, &c.): It is not usual to state publicly the detailed provision made for defence of coal stations, but I shall be glad to furnish privately to the right hon. Gentleman an answer to his inquiries.

#### THE LINN OF DEE.

**MR. A. C. MORTON** (Peterborough): I beg to ask the Secretary for Scotland whether he would communicate with the County Council, or other Local Authority, so that steps might be taken for the proper protection and preservation of the Linn of Dee?

**THE SECRETARY FOR SCOTLAND** (Sir G. TREVELYAN, Glasgow, Bridgeton): Having regard to the information which I have already received and communicated to the hon. Member, I do not see what further steps I can take, or should take, in the matter. None of the local bodies have approached me on the subject.

### BOROUGH MAYORS AND THE COUNTY BENCH.

MR. BALDWIN (Worcester, Bewdley): I beg to ask the President of the Local Government Board whether, under The Local Government Act, 1894, the Mayor of a borough (other than a county borough) will, as Chairman of a District Council, be a Justice of the Peace for the county in which the borough is situated, as well as an *ex officio* Borough Justice?

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. SHAW-LEFEVRE, Bradford, Central): I am advised that under the Local Government Act, 1894, the Mayor of a borough other than a county borough will be entitled to act as a Justice of the Peace for the county in which the borough is situated.

MR. BALDWIN: I presume he would have to qualify twice, both as a borough and as a county Justice?

MR. SHAW-LEFEVRE: I presume so, but I cannot say.

### POLICE PROSECUTIONS AT ATHY.

MR. MINCH (Kildare, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that the Constabulary at Athy, County Kildare, frame their summonses under the Towns Improvement Act for offences committed in the town in their own names in a large number of cases, and not in the name of the Town Commissioners; whether the fines thus inflicted are diverted from being wholly applied in relief of the town rate, as only a small portion of them are so applied when the cases are brought forward in that way; and whether he will communicate with the Inspector General with a view of having this irregularity rectified?

THE CHIEF SECRETARY FOR IRELAND (Mr. J. MORLEY, Newcastle-upon-Tyne): The facts are as stated in the first and second paragraphs. The prosecution by the police in such cases was irregular and contrary to rule, unless of course the Town Commissioners refused to take proceedings; but it does not appear that the Commissioners did so refuse, and directions have been issued with a view to the avoidance of any similar mistake in future.

### THE GODLEY ESTATE TENANTRY.

MR. TULLY (Leitrim, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the Land Commission are aware that numerous complaints have been made by the tenants on the Godley Estate, South Leitrim, as to the serious delay and obstacles placed in the way of the purchase of their holdings by the landlord's solicitor; that Bernard Rourke, of Toome, Carrigallen, was one of 60 tenants who signed agreements to purchase their holdings under the Ashbourne Act in April, 1890; that the Land Commission Inspector and Surveyer examined his farm at the same time as that of the other tenants, and though he paid three half-yearly instalments of interest to the solicitor, his agreement to purchase was nilled; that in December, 1892, the landlord's solicitor asked this tenant to pay up the interest, and that he could buy under the Land Purchase Act of 1891, and that after the tenant had been threatened to be sued for old arrears of rent, he was sent for signature an agreement to purchase which omitted a bog in his possession for 40 years; and whether the Land Commission will order an inquiry into this case, and the general treatment of the tenant purchasers on this estate by the vendor's solicitor?

MR. J. MORLEY: The Land Commission are aware that complaints have been made by the tenants on the Godley Estate, County Leitrim, as to the non-lodgment of agreements for purchase which are alleged to have been executed by the tenants during the year 1890. As to the case of Bernard Rourke, no application for a loan to enable him to purchase his holding was ever filed, either under the Ashbourne Acts or the Purchase of Land (Ireland) Act, 1891. The holding was inspected in November, 1890, at the request of the solicitor for the vendor, in view of an agreement being entered into. The Commissioners have no knowledge of any further proceedings as to this case. Almost all the applications lodged on this estate under the Ashbourne Acts and the Act of 1891 have been closed, and the Commissioners state that they have no power to order an inquiry either into the case of Bernard Rourke or with reference as to the general treatment of the tenants by the vendor's

solicitor. This is a matter altogether between the tenants and the vendor.

#### TREASURY APPRECIATION OF BRAVERY.

**MR. W. WHITELAW (Perth):** I beg to ask the Secretary for Scotland whether he recently recommended the Treasury to grant a gratuity to Mr. Nicol McNicoll for saving from drowning at great risk to his own life and handing over to the police an escaped convict; and, if so, on what grounds the Treasury refused to bestow the gratuity?

**SIR G. TREVELYAN:** Yes, Sir; I put forward the claim referred to upon the recommendation of the Prison Commissioners, but the Treasury did not consider that the merits of the case justified the payment of a gratuity out of the public Exchequer.

#### LOUGH KEY FLOODS.

**MR. TULLY:** I beg to ask the Secretary to the Treasury whether he can state if the Board of Works are aware that 600 acres of low-lying lands surrounding Lough Key are annually flooded owing to the locks on the portion of the river leading to the Shannon at Knockvicar being maintained at a certain level for the purpose of boat traffic; whether he is aware that traffic by trading boats on this portion of the river has ceased for years past; and whether, as on other portions of the Shannon and its tributaries, measures have been taken in recent years to regulate the level of the water so as to prevent flooding of the low-lying lands, he is prepared to recommend that the Board of Works proceed to have the locks at Knockvicar lowered so as to put an end to the inundations complained of in the neighbourhood of Lough Key?

**THE SECRETARY TO THE TREASURY (Sir J. T. HIBBERT, Oldham):** I am informed that the statutable depth of water at Knockvicar, which is the outlet for Lough Key, must be maintained as forming portion of the Shannon Navigation, and the Board of Works have no record of flooding being caused by the lock in question. It is not a fact that the traffic through this branch of the Shannon Navigation has ceased for years past, though no doubt it is not important. The work of regulation in other parts of

the Shannon has not extended to this portion of the navigation, nor is such in any way necessary.

#### LUNACY REPORTS.

**DR. KENNY (Dublin, College Green):** I beg to ask the Secretary for Scotland when the annual Report of the Scotch Lunacy Board will be presented to Parliament?

**SIR G. TREVELYAN:** I am informed by the General Board of Lunacy for Scotland that their annual Report will be transmitted to me on Monday next, when I shall present it to Parliament.

**DR. KENNY:** What is the cause of the delay in forwarding the Report?

**SIR G. TREVELYAN:** This is the usual time when it has been brought forward. I called for a special Report from the Lunacy Board as to their opinion upon the cause of the increase of lunacy in Scotland. I also hurried the Board to-day, and I hope to get a Report soon. My hon. Friend will remember that it took some time to get the Irish Report, and that these special Reports cannot be expected quite yet, but I will see that it is presented as soon as possible.

**DR. KENNY:** I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland when the annual Report of the Inspectors of Lunatics will be laid upon the Table?

**MR. J. MORLEY:** As I stated in reply to a similar question by the hon. Gentleman on the 20th instant, the Inspectors hope to have the Report ready for presentation before the 1st of August.

**DR. KENNY:** What is the cause for the delay in presenting Reports of this kind? Formerly they were laid on the Table during the first three months of the Session.

**MR. J. MORLEY:** The Report will be laid in good time. I do not think there has been any unreasonable delay.

#### PERTH CITY POLICE.

**MR. W. WHITELAW:** I beg to ask the Secretary for Scotland whether he has received a Petition from the Perth City Police relative to their services and pensions; and, if so, what action he proposes to take thereon?

**VISCOUNT WOLMER (Edinburgh, W.):** What does the right hon. Gentle-

man propose to do in reference to a similar Petition from Edinburgh?

SIR G. TREVELYAN: I have received the Memorial in question, but for the reasons stated by me in my reply on the 12th instant to the hon. Member for the South Division of Edinburgh, I am unable to hold out any present prospect of legislation on the subject. I hope hon. Members will not think me discourteous in referring them to that answer.

MR. HUNTER (Aberdeen, N.): Is not the payment of police pensions entirely a matter for Local Authorities?

SIR G. TREVELYAN: I dealt with that point in the answer. I have not received any expressions of dissatisfaction from any Local Authority with regard to the present system.

#### PRESTON BARRACKS, BRIGHTON.

MR. LODER (Brighton): I beg to ask the Secretary of State for War whether he can now state how soon arrangements will be made for sending a regiment to the Preston Barracks, Brighton, which have been vacant for several months?

MR. CAMPBELL-BANNERMAN: There is still no cavalry regiment available for stationing at Brighton, and it cannot be stated when arrangements will be made for sending one there.

#### COAL DUST EXPLOSIONS.

MR. WOODS (Lancashire, S.E., Ince): I beg to ask the Secretary of State for the Home Department whether it is the intention of Her Majesty's Inspectors to still further prosecute the experiments in regard to the alleged dangerous nature of coal dust in initiating and intensifying explosions in coal mines; and, if so, whether he would recommend that in any future experiments tests should be made in the underground workings as well as in the shafts?

MR. D. A. THOMAS (Merthyr Tydfil): At the same time I will ask the right hon. Gentleman if, in view of the doubt still existing in the minds of many persons engaged in colliery operations as to the effect of coal dust in producing and intensifying explosions in mines, he will cause experiments similar to those made by Mr. Hall at Ormskirk, and at the Southport and Big Lady pits, to be made in other mining districts, especially

in South Wales, so as to give to those resident in the various districts an opportunity of witnessing them.

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. ASQUITH, Fife, E.): I will answer the two questions together. Mr. Hall's experiments show that a coal dust explosion may be initiated without fire-damp, and throw valuable light upon the degrees of dangerousness of different dusts and different explosives. The Commissioners have expressed a decided opinion that no more experiments are required, and that the matter is ripe for legislation, and in that opinion I concur.

MR. WOODS: Is it not a fact that the experiments carried out by Mr. Hall are made by him in the shafts, which would produce very different results to experiments made in the underground workings, where alone the ordinary conditions of mining will be found?

MR. ASQUITH: That, of course, is a matter on which I must defer to those who possess particular knowledge of such questions, such as my hon. Friend himself possesses; but I think I may fortify myself on the findings of the Royal Commission as to the danger of explosion from this cause, and I think that legislation may be safely entered upon in our present state of knowledge, and that I may add is a view which, I think, the House and the Government will adopt.

MR. D. A. THOMAS: But cannot the experiments be made in South Wales so that people may have an opportunity of judging for themselves? That is the object of my question.

MR. ASQUITH: I believe that many of the experiments have been made with coal dust taken from the South Wales collieries. I think that the evidence of the witnesses given before the Royal Commission in reference to the experiments would justify steps being taken in the matter, and I have no doubt that the people of South Wales will very willingly adopt that view.

MR. D. A. THOMAS: From how many South Wales collieries was coal dust obtained?

MR. ASQUITH: That I cannot say.

★ RICHMOND PRISON, DUBLIN.

MR. T. M. HEALY (Louth, N.): I beg to ask the Secretary of State for



War on what tenure the War Department held Richmond Prison, Dublin; what is the instrument of letting; and who signs the receipts for rent?

**MR. CAMPBELL-BANNERMAN:** The first two questions have already been answered by my right hon. Friend the Chief Secretary for Ireland. The persons who sign the receipts for rent are James Sanderman Winter, Henry Hayes, Edmund W. Eyre, and John Doyle.

**MR. T. M. HEALY:** It is because I could not get any reply from the right hon. Gentleman the Chief Secretary that I put this question to the right hon. Gentleman. I could not get from him any statement as to what was the tenure on which the Prisons Board allowed the War Office to occupy this prison.

**MR. CAMPBELL-BANNERMAN:** Under the clause of the statute dealing with this matter the prison is handed over to the War Office for use for a public purpose—namely, as a barrack, and so long as it is employed for that purpose it remains in the possession and occupation of the public department so using it, subject to the payment of the ground rent. When the user ceases it will revert, after a brief interval, to the original authorities who held it before the legislation came into effect.

**MR. T. M. HEALY:** I wish to ask the right hon. Gentleman what is to prevent the Prisons Board from exacting £1,000 a year or £10,000 a year from the War Office, or serving them with a notice to quit if they do not pay it?

**MR. CAMPBELL-BANNERMAN:** I hope they will not do it. The statute lays down that the building may be used for any public purpose, although we pay no rent to the Prisons Board; and the option, so far as the option exists, is our option, not theirs.

**MR. T. M. HEALY:** I will call attention to this matter, which is a grave matter so far as the citizens of Dublin are concerned, on the first opportunity.

**DR. KENNY:** I wish to ask the right hon. Gentleman will the War Office Authorities in their controversy with the Dublin Corporation over the main drainage scheme take into consideration the fact that they enjoy this building without rent as a reason for not demanding an exorbitant sum from the Main Drainage Committee?

**MR. CAMPBELL-BANNERMAN:** It is quite true that a public department gets the use of this building without paying any rent, and that this is put forward as a grievance by the Dublin Corporation. On the other hand, the Dublin Corporation under the same statute have been relieved of the cost of maintaining the prisons within their borders.

**DR. KENNY:** With all respect, that is no answer to my question. Will the right hon. Gentleman take into consideration the fact that the Dublin Corporation gets no rent for this building when he comes to deal with them over the main drainage question in which the War Office Authorities are endeavouring to extract £100,000 from the citizens of Dublin?

**MR. CAMPBELL-BANNERMAN:** I do not think it is quite fair that that statement should be made. I do not think the two things have anything to do with each other, nor do I think that under any circumstances the War Office, being a public Department, should pay rent for this building to the Dublin Corporation.

**MR. T. M. HEALY:** How many disused prisons in England were handed over to the War Office for barracks, and how many were turned into playgrounds and open sites?

**MR. CAMPBELL-BANNERMAN:** I cannot say.

**DR. KENNY:** I beg also to give notice that on Monday next I shall call attention to this matter on going into Committee of Supply.

#### CLASSIFICATION IN THE POST OFFICE

**VISCOUNT WOLMER:** I beg to ask the Postmaster General whether, in view of the approaching discussion on the Post Office Estimates, he is able to inform the House of the grounds on which he stated to the telegraph clerks in the Memorandum of 25th June, 1894, that the abolition of classification, as unanimously desired by that body, would be detrimental to its interests?

**THE POSTMASTER GENERAL (MR. A. MORLEY, Nottingham, E.):** The noble Lord will, of course, understand that it is impossible in answer to a question to deal adequately with a subject of this importance, but I may say that I arrived at the conclusion that the existence of classification was advantageous to the interests of the staff after

ascertaining that in every case in London, and in the vast majority of cases in the Provinces, the men promoted from the Second to the First Class had not attained the maximum of their class, and therefore obtained a distinct pecuniary benefit from their promotion. But I must point out to the noble Lord that I defended classification not only in the interests of the staff as a whole, but in the interests of its more able members and of the Public Service. Its abolition would, in my opinion, place all the telegraphists on a common plane, while its existence enables the heads of the Department to advance men of conspicuous ability and merit, and thus supply the incentive to exertion which is at the root of all progress.

#### THE BIRKENHEAD LAIRAGES.

Mr. FIELD (Dublin, St. Patrick's) : I beg to ask the President of the Board of Agriculture whether the additional room provided by the Mersey Dock Board at Birkenhead lairages was from "unscheduled" to "scheduled" lairs, and the cattle also being transferred at same time actually reduced rather than increased former accommodation ; whether he is aware that the scheme of extension at a considerable distance from the lairage proper was carried out by the Dock Board contrary to the wishes and caution of the trade ; whether the trade is ever consulted directly or indirectly by the Board of Agriculture Inspectors ; and whether the Dock Board wharves are used indiscriminately as reception lairages contrary to the Order in Council ?

THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. H. GARDNER, Essex, Saffron Walden) : The additional accommodation provided by the Mersey Docks and Harbour Board at the Foreign Animals Wharf at Wallasey during the year 1893 was in part obtained by the absorption of a portion of the space previously used as a landing place for cattle not subject to the requirement of slaughter ; but I do not think it could be said until quite recently that the alteration in the arrangements with regard to Canadian cattle rendered the accommodation at the wharf less adequate than before, inasmuch as the falling off in the trade last year more than equalled the total number of cattle landed at Liverpool from Canada. With regard to

the changes made last year, I am informed that the trade were consulted by the Dock Board at the time, but that the Board found it impracticable to adopt the only alternative suggested. It is certainly my wish that the Inspectors of the Board should make themselves acquainted with the views of the trade upon matters with which we have to deal. With regard to the character of the arrangements at Liverpool we have no complaint to make. They afford adequate security against the introduction of disease, and satisfactorily carry out the objects and intentions of our Order.

#### THE GENERAL REGISTER OFFICE.

SIR R. TEMPLE (Surrey, Kingston) : I beg to ask the Secretary to the Treasury whether he can state why, in the case of any index compiler and statistical abstractor recently appointed to the General Register Office, the ordinary practice of the service has been departed from ; and why his earnings of 9s. 9d. per day during the last 12 months' service as a temporary registered copyist were not allowed to him instead of a commencing salary of 8s. per day, seeing that no part of such service was rendered in the Census Office during the Census of 1891 ?

\*SIR J. T. HIBBERT : I am not aware of any departure from the ordinary practice in the matter referred to. The pay of 9s. 9d. a day quoted by my hon. Friend included payment for temporary work connected with the Census, and is not an element in the calculation of the initial salary of an abstractor.

#### THE STATE OF WEXFORD.

MR. T. J. HEALY (Wexford, N.) : I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been drawn to the fact that at the Summer Assizes in the County of Wexford just concluded there was no criminal case for trial ; that at the Spring Assizes of this year there was only one trifling case of theft for trial from the county ; that at the last Winter Assizes there was no criminal case from the county ; that at the Hilary and Easter Quarter Sessions in both divisions of the county the County Court Judge was presented with white gloves ; and that notwithstanding this crimeless condition of the county the people of Wexford are

*Mr. A. Morley*

this year called on to pay the large sum of £784 for extra police; and whether he will take immediate steps to relieve the people of the county from such a heavy tax by giving orders for the removal of the extra police?

**MR. J. MORLEY:** My attention has been drawn to the very gratifying facts referred to by my hon. Friend as to the general state of the County Wexford. The charge for extra police for the past year is correctly stated at £784, and has been solely necessitated by the peculiar circumstances which exist on one particular property in the county. The strength of the extra force, which numbered 25 men when the present Government acceded to Office, has been reduced to 15 men, its present strength, and the question of making a still further reduction is now under consideration.

**MR. THOMAS HEALY:** Is the right hon. Gentleman aware that the Lord Chief Baron stated on Saturday last that there was no person in the county under police protection?

**MR. J. MORLEY:** He may have made that statement, but it does not follow that extra police are not required.

#### NEW ROSS POSTAL ARRANGEMENTS.

**MR. FFRENCH:** I beg to ask the Postmaster General is he aware that letters from Wexford are allowed to lie in the New Ross Post Office 23 hours before being sent out to the country sub-offices; and that a letter posted in Newbawn, a sub-office of the New Ross District, takes over three days to go to Nash, an office only three miles distant; and if he will look into the matter and see if it would be possible to remedy this state of things by detaining the rural postman in New Ross from 8 a.m. to 11 a.m., when he would have not only the Wexford and Waterford mails, but also the Dublin mail, due at 10.30 a.m.?

**MR. A. MORLEY:** Wexford and New Ross are served from different lines of railway, but a local communication is maintained between them by mail car. It is only letters posted at Wexford too late for a despatch at 6 p.m. that miss the rural posts from New Ross next morning. Some misapprehension seems to exist with regard to the communication between Newbawn and Nash, for a letter for Nash posted at Newbawn before 8.15 a.m. would be delivered next

morning. The detention of the rural postmen in New Ross for the arrival of the Dublin day mail, as suggested by the hon. Member, would be a serious matter, and I could only assent to such an alteration at the request of the great majority of the residents in the rural district.

#### THE HOLM FARM PIT FATALITY.

**MR. CALDWELL (Lanark, Mid):** I beg to ask the Secretary of State for the Home Department whether he has yet received the report of the circumstances attending the accident at Holm Farm Pit, Lanarkshire, on 27th June last, whereby three men, Edward Brannan, William Stevenson, and Matthew Corbett, were killed; and whether he will order a public inquiry into the matter of the accident?

**MR. ASQUITH:** The matter has been inquired into, and as the causes of this inquiry are sufficiently clear from the Inspector's Report, I do not think a public inquiry necessary. I am informed that the structure of the crane which caused the accident is being altered. If my hon. Friend will bring privately to my notice any facts which seem to him to render a public inquiry necessary, I will give them careful attention.

#### STONEHOUSE NAVAL ORDNANCE EMPLOYÉS.

**MR. E. J. C. MORTON (Devonport):** I beg to ask the Civil Lord of the Admiralty will he explain why the 48 hours' week has not yet been applied to the *employés* of the Naval Ordnance at Stonehouse and Bull Point; and when will the system be brought into operation among these *employés*?

**THE CIVIL LORD OF THE ADMIRALTY (MR. E. ROBERTSON, Dundee):** There has been some delay caused by the necessity of adapting the working hours to the Powder Stations, where they must be strictly governed by the daylight, and it has also been necessary to confer with the War Office, so as to secure uniformity of practice between the two Departments. The scheme has been approved, and will be promulgated shortly.

#### PROMOTION IN THE CENTRAL TELEGRAPH OFFICE.

**MR. M'CARTAN (Down, S.):** I beg to ask the Postmaster General will he explain why a clerk named Fenton was

recently passed over the heads of a number of others at the Central Telegraph Office for promotion who were years his senior, although the latter were informed on inquiry that there was nothing against them; whether they have been for years and still are engaged on supervising duties which appertain to the position to which Mr. Fenton has been promoted; and why they are refused promotion when vacancies occur on the class above while satisfactorily performing duties properly attached to the higher class?

MR. A. MORLEY: The position to which Mr. Fenton was promoted is one which is filled by selection; and Mr. Fenton was selected for it because, in the opinion of his superior officers, he was the best fitted for the post.

#### SUNDAY FISHING AT LOCH FYNE.

SIR D. MACFARLANE (Argyll): I beg to ask the Secretary for Scotland if the Fishery Board has power to prevent Sunday and daylight fishing in the Sound of Kilbrennan and Loch Fyne waters, and if he is aware that such fishing is now carried on?

SIR G. TREVELYAN: The Fishery Board are invested with power to prevent Sunday and daylight fishing in the Sound of Kilbrennan and Loch Fyne by the Herring Fishery (Scotland) Act, 1889, Section 5. I am informed by the Fishery Board that, in consequence of representations made recently by the Secretaries of the Tarbert and Ardrishaig sections of the Argyll and Bute Fishermen's Association, instructions were issued to the officer in command of Her Majesty's cutter *Daisy* to visit the waters referred to, and to see that the law regarding Sunday and daylight fishing was strictly observed. The officer visited the localities mentioned, but was unable to detect any breaches of the law. Should definite information be lodged with the Board of an infringement of the Act, the Procurator Fiscal will be at once communicated with, with a view to legal proceedings being instituted against the offenders.

#### THE STRAITS SETTLEMENTS.

MR. HENNIKER HEATON (Canterbury): I beg to ask the Secretary of State for War if he can state when a decision will be arrived at with regard to

*Mr. McCartan*

the Military contribution to be exacted in future from the Straits Settlements.

MR. CAMPBELL-BANNERMAN: I understand that the Colonial Office are prepared to reply to a similar question which has for some time been on the Paper for to-morrow, and I would ask my hon. Friend to wait for that answer.

#### THE SCOTCH COAL STRIKE.

MR. WASON (Ayrshire, S.): I beg to ask the President of the Board of Trade whether, in view of the large amount of suffering and privation amongst the miners and others in Ayrshire consequent upon the coal strike, he will endeavour to bring about a reconciliation between masters and men?

MR. BRYCE: The Government have noted with profound regret the sufferings and privations caused by the present coal strike both in Ayrshire and in other parts of Scotland, sufferings which have affected persons engaged in other employments as well as the miners themselves. The Board of Trade have been watching the progress of events with the hope of being able to intervene should a favourable moment arrive. They have at present no power to intervene against the wishes of either party, and regret that their powers have not been enlarged by the passing of the Conciliation Bill now before the House. Had I any reason to believe that any effort which the Board could make to bring about an amicable arrangement would have a reasonable prospect of success, the Board would gladly place their good offices at the disposal of the parties; but so far as I have been able to learn the circumstances do not as yet justify the attempt.

MR. STUART-WORTLEY (Sheffield, Hallam): In what respect would the passing of the Conciliation Bill have enabled the right hon. Gentleman to intervene?

MR. BRYCE: The passing of the Conciliation Bill would have thrown a statutory duty on the Board of Trade of intervening and offering its good offices in a case of this kind, and it would have made it much easier to intervene than it is now.

MR. STUART-WORTLEY: Does the Bill say "may" or "shall"?

MR. BRYCE: The Bill gives powers and duties to the Board of Trade which it does not now possess.

**MR. J. WILSON (Lanark, Govan):** Is it not possible to do anything in regard to what is nothing less than a national calamity?

**MR. BRYCE:** My hon. Friend has not overstated the misfortunes and distress which exist at present as being of the nature of a national calamity; but I am obliged to consider intervention with the probability of success. An attempt which is premature would probably do more harm than good, and if there is to be intervention it should be made at a moment when the prospect of success is greater.

**MR. HARRY SMITH (Falkirk, &c.):** I beg to ask the Secretary of State for the Home Department whether, in view of the disastrous strike of the miners of Lanarkshire and other mining districts in Scotland, and the consequent privations and sufferings of many thousands of people, he will take steps to bring about a reconciliation between masters and men; and whether he will consider the expediency of the appointment of a Royal Commission to investigate the numerous vexed questions connected with the mining industry in Scotland, in order to prevent similar strikes in the future.

**MR. ASQUITH:** The Government have no power, as already stated by my right hon. Friend the President of the Board of Trade in answer to the previous question, to intervene against the wishes of either party; but if they had reason to believe that any efforts of theirs tending to prevent the continuance of this unfortunate dispute would have a reasonable prospect of success, they would be happy to place their good offices at the disposal of the parties. With regard to the second paragraph, I propose to introduce a Bill to amend the Coal Mines Regulation Act next Session, and hope that it may tend to prevent strikes, so far as that can be done by legislation.

#### SCHOOL BOOKS IN IRELAND.

**MR. BODKIN (Roscommon, N.):** I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he will inquire why "The National Education in Ireland, School Books," Return, which was ordered by this House on 9th January, presented on 7th May, and directed to be printed on 1st June, is not yet in the hands of hon. Members; and

if he will take such steps as may be necessary to expedite the printing of this Return?

**MR. J. MORLEY:** A proof of the Return was only recently received from the printers, and has been forwarded to the Commissioners of National Education for revision. I hope the Return will be ready for circulation within a few days.

#### NATIONAL EDUCATION (IRELAND)— MONITORIAL SYSTEM.

**MR. BODKIN:** I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland is he aware that school children and monitors in Ireland under the National Board are examined in the contents of three reading books, extending in some cases to nearly 2,000 pages of miscellaneous information; and whether any such system prevails in England; and, if not, whether he will take steps to abolish the system existing in Ireland and substitute the system prevailing in the English Board schools?

**MR. J. MORLEY:** This question was placed on the Paper for the first time this morning, and as there has not been sufficient time to obtain a Report, I must ask my hon. and learned Friend to defer the question till to-morrow.

#### LORD WALSHINGHAM'S COTTAGE TENANTRY.

**MR. SAUNDERS (Newington, Walsworth):** I beg to ask the Secretary of State for the Home Department if his attention has been called to a notice recently issued by Lord Walsingham, in which he announces to his cottage tenants that, in the event of any further increase in the parish rates, such increase cannot be borne by his estate account, but will be added in due proportion to the rents charged for the cottages; and also to a notice from the Duke of Beaufort to his tenants, in which he states that he will only withdraw the notices to quit recently issued to them on condition that Admiral Close resigns his churchwardenship, or, if he cannot legally do so, that he appoints a deputy or sidesman, and that he gives in writing his promise not in any way to interfere with the repairs, &c., of the parish church, and not to attend any parish meetings called in reference to anything to do with the church; and whe-



ther, in view of the recent passing of the Parish Councils Act, and the duties of churchwardens in reference to parish churches, landlords are entitled to issue such notices?

MR. ASQUITH: I have no knowledge of the facts, but assuming them to be as stated, I am advised that they do not involve any breach of the law.

#### THE RAILWAY AND CANAL TRAFFIC BILL.

MR. DODD (Essex, Maldon): I beg to ask the President of the Board of Trade when he will place on the Paper the Amendments to the Railway and Canal Traffic Bill which the Government intend to propose or accept; and whether he would give a couple of days' notice to this House before taking the Committee stage of the Bill?

MR. BRYCE: The conferences which have taken place as regards the Railway and Canal Traffic Bill during the last few days between hon. Members representing the traders and representatives of the Railway Companies have been so far satisfactory that I am not without hope that Amendments may be drafted to which both parties will agree. If this result is attained it will probably be convenient that those Amendments should be put upon the Paper in my name, and I will endeavour that they shall appear upon it not later than the day preceding that upon which the House would be asked to take the Committee stage of the Bill.

SIR M. HICKS-BEACH (Bristol, W.): How long will it be before we shall know whether these negotiations are successful or not?

MR. BRYCE: I hope it will be settled one way or the other within a few days; but I do not wish to be over-sanguine. No efforts on my part will be wanting if my mediation between the parties can bring the matter to a successful conclusion.

SIR A. ROLLIT: Is it not a fact that during the delay the Companies are pressing for claims above the old rates of 1892, and that the North-Eastern is actually in one case suing?

MR. BRYCE: I have heard so, but I do not know whether it is the fact.

#### PUBLIC MEETINGS IN THE TRANSVAAL.

SIR E. ASHMEAD-BARTLETT (Sheffield, Ecclesall): I beg to ask the

Under Secretary of State for the Colonies whether Her Majesty's Government intend to protest against the new law, just passed by the Transvaal Volksraad, which forbids all right of outdoor meeting to British residents in the Transvaal, and which forbids all meetings indoors of more than six persons without special permission from the Boer authorities?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (MR. S. BUXTON, Tower Hamlets, Poplar): The law in question applies as we understand to all inhabitants of the South African Republic; but we have not yet received the full text of the law, and I must refer the hon. Member to my answer of Tuesday.

SIR E. ASHMEAD-BARTLETT: What I asked was whether Her Majesty's Government intended to protest against this law. Is the hon. Member aware that there are 70,000 British residents in the Transvaal, that they pay nine-tenths of the revenue of the country, and that by this law they are deprived of the right of expressing their grievances by public meeting?

MR. S. BUXTON: The Government have not yet received the full text of the law, and until it is received they are not in a position to make any statement.

#### INDIAN FINANCE.

SIR W. HOULDSWORTH (Manchester, N.W.): I beg to ask the Chancellor of the Exchequer if he can now state when he proposes to fulfil his promise to give a day for the discussion of Indian Finance; whether it is understood that the day promised is in addition to the day devoted to the Indian Budget; and whether a few days' notice of the date fixed will be given?

THE CHANCELLOR OF THE EX-CHEQUER (SIR W. HARCOURT, Derby): I have not yet been able to fix a day. I will, however, take care that due notice is given.

SIR W. HOULDSWORTH: Can the right hon. Gentleman answer the second part of the question?

SIR W. HARCOURT: That depends on the number of days at our disposal.

#### MILITARY EXPENDITURE IN INDIA.

SIR D. MACFARLANE: I beg to ask the Secretary of State for India on what grounds the expenditure of the Go-

vernment of India on military and special defence works (amounting in 1875-6 to Rx. 1,337,000, and in 1892-3 to Rx. 1,654,000, or an increase of Rx. 317,000), has been left out of the Return entitled East India (Military Expenditure), and dated India Office, 8th June, 1894; why that Return deals with gross expenditure instead of net expenditure, seeing that, owing to a diminution in Army receipts, net expenditure during the 18 years covered by the Return has increased by nearly Rx. 200,000 more than gross expenditure has increased; and on what principle the various sums spent on military expeditions and classed in the Return as exceptional payments are also included under the ordinary headings of effective Army expenditure in India, except those spent on the Afghan and Egyptian Wars?

\*THE SECRETARY OF STATE FOR INDIA (MR. H. H. FOWLER, Wolverhampton, E.): In reply to the hon. Member's first question, "Military Expenditure" is in the Indian Accounts understood to mean expenditure on "Army Services," military works being classed under buildings and roads and special defence works forming a separate head. In reply to the second question, the Return deals with gross instead of net expenditure, because the former figures show the true increase of expenditure more clearly than the latter, which are affected by the casual sales of surplus stores, &c. As regards the third question, the sums spent on military expeditions are included in the Return under the head "Miscellaneous Services," but it was thought that it would be convenient to the House to have a supplementary approximate statement of the exceptional payments to enable it to appreciate more clearly how far the normal military expenditure has increased. I may add that the Return of the net income and expenditure of British India, dated 13th July last, supplies the information referred to in the first two questions from the year 1883-4 onwards.

SIR D. MACFARLANE: Why is not expenditure on railways to the frontiers and fortifications included in the Return of military expenditure in India?

\*MR. H. H. FOWLER: Because they do not form part of the "Army Services."

#### DEATH FROM LEAD-POISONING IN GREENWICH WORKHOUSE.

MR. HOWARD (Middlesex, Tottenham): I beg to ask the Secretary of State for the Home Department whether his attention has been called to an inquiry, held on the 19th instant, at the Greenwich Workhouse, respecting the death of Mary M'Mahon, aged 20, who died in the infirmary from lead poisoning, after being seen by as many as 10 doctors, at which it was stated by five other young women who were at work in the same factory that they had suffered from the effects of lead colic, one being at present in the infirmary, and that, to counteract the poison, they were in the habit of wearing respirators and overalls, and drank acid three times a day; and it was also stated by Mr. Seal, the Government Inspector of Factories, that the business was one of the most deadly in existence; whether he is aware that there is now being manufactured at the Possilpark Works, Glasgow, by the White Lead Company, Limited, a pure sulphate of lead, which is cheaper than the carbonate, and quite as efficient as a pigment, and non-poisonous both to those who manufacture and those who use it; and whether, under these circumstances, he will consider the advisability of making the rules in force in manufactories of carbonate of lead more stringent?

MR. FLYNN (Cork, N.): At the same time, I will ask the right hon. Gentleman whether his attention has been called to an inquiry at the Greenwich Workhouse, on the 19th instant, respecting the death of a young woman named Mary M'Mahon, who died in the infirmary; whether he is aware that it was stated at the inquiry that the young woman was employed at Messrs. Pontifex and Woods factory at Millwall, but left in bad health after a short time, and that the doctor stated that the girl died from the effects of lead poisoning; and what steps, if any, are being taken by the Government to supervise the employment of women and girls in dangerous or unhealthy occupations?

MR. ASQUITH: The first paragraph of the hon. Member's question states accurately the facts given at the inquest, but it should be added that it was so long ago as December, 1892, that the



girl had to leave the factory, and was admitted to the infirmary suffering from the effects of lead poisoning; also that she had consumptive tendencies before she took employment in this factory. As regards the second paragraph, I am aware that sulphate of lead is cheaper and less dangerous than carbonate of lead; but the Committee which recently reported on the lead industries state that they "are compelled to admit the superiority of the carbonate as a pigment, both in colour and in covering power." On the Report of that Committee special Rules for the regulation of whitelead works were framed and put in force, and they are now strictly enforced under the supervision of the Factory Inspectors. These Rules have, however, been in force for only a few months, while the lead-poisoning in this case occurred more than 18 months ago, and I have every reason to hope that they will prove effective. I may add that the employment of women in this factory is being gradually discontinued, and that the numbers have been reduced from 50 to 17.

MR. JOHN BURNS (Battersea): Arising out of that, may I ask whether, considering the extraordinary susceptibility of girls and women to complaints arising out of this occupation, the right hon. Gentleman has considered the advisability of carrying out the recommendations of some of his Inspectors and medical experts, and excluding girls and women from this particular employment?

MR. ASQUITH: Yes, Sir, but I have not statutory power to do so; and I shall not have till the Factory Bill now before the House is passed.

#### COAST COMMUNICATION BETWEEN START BAY AND DARTMOUTH.

MR. MILD MAY (Devon, Totnes): I beg to ask the Postmaster General whether, with a view to completing the coast communication between Start Bay and Dartmouth (the nearest port for tug-power and lifeboat service), he has any intention of continuing the telegraph wire from Torcross to Strete?

MR. A. MORLEY: It is part of the scheme of coast communication that a telephone wire should be constructed between the Coastguard Stations at Dartmouth and Torcross; but it cannot be carried out because of the refusal of wayleave on Slapton Sands. Should this

difficulty at any time be removed, the question of providing the wire will again be considered.

#### LABOURERS' COTTAGES IN THE DUN- SHAUGHLIN UNION.

MR. HAYDEN (Roscommon, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what is the cause of the delay in carrying out the scheme under the Labourers' Act in the Dunshaughlin Union?

MR. J. MORLEY: On the 19th of June, when replying to a question of the hon. Member for North Dublin on the same subject, I stated that the Provisional Order of the Local Government Board authorising the erection of 55 cottages in this Union would be issued as soon as certain necessary documents, which had been called for, were supplied by the Guardians. These documents were not received until the 6th instant, and on the following day the Provisional Order was made.

#### SCHOOL TEACHERS' PENSIONS IN IRELAND.

MR. HAYDEN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland (1) whether his attention has been called to the case of Mr. P. Murren, late National teacher, Fairymount, County Roscommon, who had completed (within three months) 40 years' service under the Board of National Education, which would have entitled him to the full retiring pension of £46; (2) whether the reason the full pension could not be granted was because of the existence of a rule requiring that the term of service for pension can only count from the time the teacher has attained the age of 21 years; (3) whether he is aware that an additional three months' service would have entitled him to an allowance of £32 instead of £29, which he is now receiving; and that Murren has always denied the truth of the charges brought against him, and in consequence of which he was compelled to resign; (4) and whether the Board of Education will be asked to reconsider the matter with the view, in consideration of the very long services rendered, of having the pension increased?

MR. J. MORLEY: (1) I am informed that the service of Mr. Murren as a

*Mr. Asquith*

National school teacher amounted to 38 years and eight months, and that, therefore, the statement that he had completed within three months of 40 years service is incorrect. Moreover, he would not have been entitled to a pension of £46 per annum unless he had completed 40 years' service after the age of 21 years. (2) One of the rules for the administration of the Teachers' Pension Fund, made pursuant to Act of Parliament, expressly states that service shall not count if given by a male teacher before the age of 21 years. (3) As two years and 11 months of Mr. Murren's service was given before that age, it could not be taken into account when calculating the amount of his pension. His pensionable service was 35 completed years, and the pension for that service is £29 per annum. (4) Had he been allowed to serve for three months longer he would have been entitled to a pension of £32 per annum. His case, however, was carefully considered by the National Board, and they were unable, having regard to his unsatisfactory record, to permit him to continue longer in the service. The Commissioners have no power under the Rules to allow him an extension of his service.

#### SALCOMBE FERRY.

MR. MILDMAI: I beg to ask the Postmaster General whether the ferryman at Salcombe is compelled to carry postmen and mails across the ferry between Salcombe and Portlemouth toll free; whether there is any assignable limit to the exaction of such services; whether payment was formerly made for the services rendered to the Post Office by the ferryman; and whether it is competent to the Postmaster General to allow to the ferryman adequate remuneration for his services at the present time?

MR. A. MORLEY: All ferrymen are bound without demanding toll to carry across ferries persons employed in conveying post letters and telegrams. The enactment on the subject is contained in Section 9 of the Post Office (Offences) Act, 1837, 1 Vict., c. 36. This section only gives effect to the general law which exempts the Crown from payment of tolls. Toll was some years ago paid under a misapprehension for the passage of a postman across the Salcombe and Portlemouth Ferry, but the ferry has

been used free of toll for the last five years. I am advised that the law, as it stands, does not justify me in paying tolls for the use of ferries, but I have in some cases made a payment for exceptional services rendered by ferrymen. No such exceptional services are rendered in this case.

#### INDIAN PUBLIC SERVICE COMMISSION.

SIR W. WEDDERBURN (Banffshire): I beg to ask the Secretary of State for India whether the Correspondence dealing with the recommendations of the Indian Public Service Commission of 1886, regarding the special departments of the Indian administration referred to by Lord Cross in the last paragraph (37) of his Despatch, No. Public 104, dated London, 12th September, 1889, is yet complete; and whether this Correspondence with the Orders (if any) passed by the Secretary of State in connection therewith will be laid upon the Table of the House?

\*MR. H. H. FOWLER: The correspondence is not yet complete. As I informed my hon. Friend on the 15th of March last, there will be no objection to laying it on the Table of the House when it is complete, if he will move for it.

#### SLAUGHTER OF KINE IN INDIA.

SIR W. WEDDERBURN: I beg to ask the Secretary of State for India whether he can now state what answer has been given by the Government of India to the Behar planters' Memorial, dated 28th January last, on the subject of the slaughter of kine; and whether Mr. Roger's scheme in this connection has come before the Government of India, and what is their opinion upon it?

\*MR. H. H. FOWLER: I have not as yet received from the Government of India a reply to my Despatch of the 31st of May last, in which I asked what reply had been returned to the Memorial of the Behar Indigo Planters' Association, and also whether Mr. Roger's scheme has been under their consideration, and, if so, what opinion they had formed with regard to it.

#### THE BIRR MILITARY CASE.

MR. MOLLOY (King's Co., Birr): I beg to ask the Chief Secretary for Ireland what has been the result of the

inquiry into the Birr military case, and what steps he proposes to take?

MR. J. MORLEY: This case has received investigation, and directions have been issued for further proceedings against the gentlemen concerned.

#### CHINA AND JAPAN.

SIR E. ASHMEAD-BARTLETT: I beg to ask the Under Secretary for Foreign Affairs whether he can give the Government any information about the present relations between China and Japan?

\*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir E. GREY, Northumberland, Berwick): A Convention between China and Japan dated April 18, 1885, recognised that in case of any disturbance of a grave nature occurring in Corea, the two Powers shall be at liberty to send troops thither for the restoration of order. A rebellion having recently broken out in that country, both Powers sent troops to repress it, and the relations between them having subsequently become critical, Her Majesty's Government, on the 19th instant, telegraphed to Her Majesty's Resident Representatives at Berlin, St. Petersburg, Paris, and Rome, to invite the Governments to which they were accredited to send instructions to Resident Representatives at Peking and Tokio to co-operate with Her Majesty's Resident Representatives at those places in their endeavours to avert a war. These Governments have now sent instructions to their Resident Representatives accordingly. We have no information as to hostilities having taken place between Japan and China, though it has been reported that shots were exchanged a short time ago between the Japanese troops and some Corean guards.

#### MOTION.

#### HOUSING OF THE WORKING CLASSES (BORROWING POWERS) BILL.

##### MOTION FOR LEAVE.

MR. SHAW-LEFEVRE moved for leave to bring in a Bill to explain the provisions of Part II. of The Housing of the Working Classes Act, 1890, with respect to powers of borrowing. He said he did not think it was a contentious

measure, but if it turned out to be contentious he would not go on with it.

Motion made, and Question proposed, "That leave be given to bring in a Bill to explain the provisions of Part II. of The Housing of the Working Classes Act, 1890, with respect to powers of borrowing."

Motion agreed to.

Bill ordered to be brought in by Mr. Shaw-Lefevre and Sir Walter Foster.

Bill presented, and read first time. [Bill 336.]

#### ORDERS OF THE DAY.

#### EVICTED TENANTS (IRELAND) ARBITRATION BILL.—(No. 176.)

##### COMMITTEE.

Order for Committee read.

\*MR. SPEAKER: The Instruction which stands in the name of the hon. and learned Member for Mid Armagh (Mr. Barton) for the division of the Bill into two is not in Order for the reasons I propose to give to the House. It is quite true that an Instruction is necessary before a Bill can be divided into two or more parts, but of course the question whether such an Instruction can be moved depends upon the nature of the Bill and whether the Instruction can properly perform the operation or not. I have looked through all the precedents of Bills which have been divided by Instructions into two or more parts, and I find that they have all been Bills which naturally lent themselves to division. It will be found that there is no natural line of division in this Bill, and that a division of the Bill with the object of omitting a particular clause would be applicable to other Bills from which any Member wished to omit a particular clause. More than that, what the hon. and learned Gentleman seeks to obtain could be done in Committee by the omission of Clause 3. The framework of the whole Bill applies both to cases of holdings in the occupation of the landlords and to cases of holdings in the occupation of the new tenant, and, therefore, if I were to admit this Instruction, the framework of the Bill would have to be totally re-constructed for the purpose of making it apply only to that part which the hon. and learned Member wishes alone to pass. The hon. Member will not be at

Mr. Molloy

all injured by the course I am taking; but, on grounds of Order alone, it is quite sufficient to say that the Instruction is out of Order, and cannot be moved.

Bill considered in Committee.

(In the Committee.)

Clause 1.

**THE CHAIRMAN:** The first Amendment, standing in the name of the hon. Member for Preston (Mr. Hanbury), is out of Order.

**MR. HANBURY (Preston):** My first Amendment, Sir, is to leave out "tenancy," and insert "tenant."

**THE CHAIRMAN:** The second Amendment of the hon. Member must be taken in connection with the first; otherwise, the Amendment would not read. The Amendment is out of Order.

**MR. HANBURY** said that, if he might respectfully say so, he thought the Chairman had misunderstood the Amendment. To put himself straight, however, he would alter the Amendment. He would move to strike out the words "tenancy of," and to insert "the tenant has been evicted from the holding."

**THE CHAIRMAN:** I think that will be in Order.

**MR. T. M. HEALY (Louth, N.),** rising to Order, pointed out that if the Amendment were moved in the form proposed it would not make sense.

**THE CHAIRMAN:** I understand that the hon. Member proposes to bring up consequential words.

**MR. HANBURY** said, that was his intention. The hon. and learned Member (Mr. T. M. Healy) must know that this was the usual course of procedure in the House of Commons. He had put down the Amendment for two reasons. The first was that he did not know that any definition had yet been given as to what was a determination of a tenancy in Ireland. It was absolutely necessary that no vague words should be left in the Bill. He had been entirely unable to understand the words of the clause. In England people knew what a determination of a tenancy was, because in England when a man's notice had expired he left the farm, and there the matter ended. In Ireland, however, things were entirely different. The laws dealing with land in Ireland were so complicated, confused, and innumerable, that it was difficult to find out what the exact meaning of the

words "determination of the tenancy" was. As there were no Irish Law Officers in the House, he would ask the Solicitor General (Mr. R. T. Reid) whether in his opinion a tenancy was determined when a tenant was evicted, or whether it was not determined until the six months had expired during which it was possible for him to obtain reinstatement? The claims put forward on behalf of the tenants showed that in the opinion of those who made them these tenancies had been determined.

**MR. T. M. HEALY,** rising to Order, asked whether the hon. Gentleman must not show some difference between the words in the Bill and those he was proposing to substitute for them instead of merely saying that he did not understand the Bill?

**THE CHAIRMAN:** I think the hon. Gentleman is in Order.

**MR. HANBURY** said, the difference between his Amendment and the words of the Bill was that one spoke of the determination of the tenancy, and the other referred to the eviction of the tenant. Everybody knew exactly when the eviction took place, but everybody did not know when the tenancy was determined. The Nationalist Members for Ireland themselves, by the language they used with regard to evicted tenants, showed that they did not consider that the tenants' rights had been determined by the eviction. The Chief Secretary for Ireland, in his speech on the First Reading of the Bill, raised the point that the Irish tenant ought to be called not a tenant, but a partner. The question was whether the so-called partnership with the landlord had been determined. The hon. Member for Mayo (Mr. Dillon), in a speech made on the 3rd of January, 1887, showed that at any rate, in his opinion, the claims of the Irish tenants who had been evicted had not been put an end to by the eviction. The hon. Member said—

"The soil of Ireland was the property of the children of Ireland, and not the property of the contemptible, rack-renting, intolerant ascendancy landlords."

**THE CHAIRMAN:** Really this is not in Order.

**MR. HANBURY** said, of course, if it was not in Order he would not dwell further on that point, but his object in quoting the passage was to show that in

the opinion of the Irish Members the tenancy of the evicted tenants was not determined, but that the tenant had still a right to the land. He would go to another point, which was this: The whole object of the Bill was not to deal with tenancies which had been determined in any way whatever, but simply tenancies determined by eviction. That was clear from the Bill itself, which purported to be a Bill to facilitate and make provision for the restoration of evicted tenants in Ireland. That being so, why could the Government not say so plainly and in the first line? Instead of introducing the expression as to the determination of tenancies, and which would include cases where there had been no eviction, the Government ought to limit it to what was the object of the Bill—namely, to the determination of tenancies by eviction. If the right hon. Gentleman did not mean to extend the scope of the Bill by making it apply to all tenancies—not only those determined by eviction, but determined in any way whatever—he ought to accept the Amendment. In the three cases mentioned specially in Sub-section 2, two of them had no reference necessarily to eviction at all, and there was only one which had such reference. It appeared to him, therefore, it was quite clear that unless the words he proposed were inserted it would be possible for the arbitrators not only to deal with tenancies determined by eviction, but with tenancies determined in any way whatever. He only desired to bring the Bill into accord with what purported to be its object, and he did not think the right hon. Gentleman could have any objection to definitely defining the matter, so that it should be known that the tenancies dealt with were those determined by eviction. He begged to move his Amendment.

THE CHAIRMAN asked the hon. Gentleman to bring up the Amendment.

MR. HANBURY proceeded to the Table for this purpose?

MR. T. M. HEALY: I wish to know, Sir, whether the hon. Member should not bring up his Amendment, and not point it out to you?

THE CHAIRMAN: Order, order!

MR. T. M. HEALY: This is not a school.

*Mr. Hanbury*

Amendment proposed, in page 1, line 5, to leave out the word "tenancy," in order to insert the word "tenant."—*(Mr. Hanbury.)*

Question proposed, "That the word 'tenancy' stand part of the Clause."

THE SOLICITOR GENERAL (Sir R. T. REID, Dumfries, &c.) said, that what the hon. Gentleman wanted to say was that, instead of dealing with tenancies that had been determined in the language of the first clause, they should practically state that they were dealing with tenancies in respect to which there had been eviction. The hon. Member asked what was the meaning of the word "determined" as it appeared in the clause. The first thing he had to say about the word "determined" was this: This and other words which had been subjected to criticism were taken *verbatim* from the 13th clause of the Act of 1891, which was passed by the general acclamation of the House. Section 13 of the Act of 1891 did differ from this in the sense that it was permissive and not compulsory. It defined certain circumstances under which it became operative, the words being as follows:—

"Where the tenancy of a holding has been determined since the 1st May, 1879, and the former landlord or his successor in title is in occupation of the holding,"

it should be lawful to make the arrangements there provided. Whether it was permissive or compulsory in its form the circumstances to which the clause applied were really common to both. They both wished to deal substantially with the same class of cases; they differed as to the method, inasmuch as the present Government said it should be a compulsory process, and the late Government said it should be permissive. The hon. Gentleman said that if the word "evicted" or "eviction" was put in, or some words to the same effect, all the cases with which it was intended to deal would be covered. That did not necessarily follow. Suppose, for example, that the landlord were to obtain a judgment for £100 against a tenant for rent, and were then to sell by *fi. fa.*, and somebody else purchased the tenant's interest, that would not be an eviction; and yet this was a case in which they would desire to grant relief. The use of the word "eviction" would not be satis-



factory, and he thought that the best course was to adhere to the wording of the 13th section of the Act of 1891. In this, as in other cases, they must necessarily rely upon the judgment and discretion of the arbitrators in dealing with the matter, and the Bill showed what circumstances the arbitrators would have to consider in coming to a decision as to whether the case was one for reinstatement. Under these circumstances, the Government preferred the language used in the Bill.

MR. W. KENNY (Dublin, St. Stephen's Green) said, that the Solicitor General had referred to the 13th section of the Act of 1891 as justifying the language used in the Bill. The language of the Act of 1891 was, however, perfectly permissive, and left it open to the landlord to select what class of tenants were to get the benefit of the 13th clause of the Act. The Solicitor General said that the circumstances would be the same under that clause and the clause they were now discussing. Possibly that might be so; but the Solicitor General had not told them what were the particular circumstances which would justify a tenant in coming in under the particular clause now being discussed. The Solicitor General referred to the case of *fi. fa.* against the tenant. Take the case in which judgment had been recovered for rent against the tenant, a *fi. fa.* was issued upon it directed to the Sheriff, who accordingly sold. The Sheriff might sell to either of two persons. If he sold to an outsider, the Solicitor General was perfectly right, and the tenancy was not determined. But the Sheriff might sell to the landlord, and the landlord might then go into possession, or try to do so. The tenant might resist, and might have to be evicted in a wholly different way—namely, as a trespasser and not as a tenant. He wished to know whether the Bill was intended to apply to this class of cases? They had already had a definition of what the meaning of the word “determined” was. If the Solicitor General would refer to Section 20 of the Act of 1891 he would find that the tenancy to which the Act applied was to be deemed to have determined whenever the landlord should have resumed possession, either on the occasion of the purchase

by him of the tenancy, or in default of the tenant, or by the operation of the law, and so on. He desired to be informed whether the present Bill was intended to apply to tenants who had been evicted otherwise than for non-payment of rent. The title of the Bill was “A Bill to Facilitate and Make Provision for the Restoration of Evicted Tenants to their Holdings in Ireland.” In the case of a purchase by the landlord under *fi. fa.*, and when the landlord had to evict the individual who was the occupier afterwards, he did not evict the tenant, but a person who was in the position of a purchaser. The Appendix to the Report of the Mathew Commission showed what class of tenants were contemplated by that Report. It showed clearly that the person contemplated by the Mathew Commission was a tenant evicted for non-payment of rent. A number of evictions had taken place against tenants who were actually in the position of purchasers. The landlord had bought under *fi. fa.*, the Sheriff had conveyed the holding to the landlord, and the tenant had absolutely gone out. The landlord had brought an ejectment against the tenant, but that was a different class of eviction to that consequent on a judgment for non-payment of rent; and what they wanted to know was, would the Bill apply to the case in which the landlord had bought or gone into possession, or the case in which the tenant had voluntarily surrendered his holding to the landlord? because that would also be a determination of the tenancy under the 20th section of the Act of 1891. He would ask were there any other cases to which the word “determined” would apply?

MR. T. M. HEALY rose to Order. Was it in Order for the hon. and learned Gentleman on this Amendment to discuss his own Amendment, which was down later on the Paper in the following terms:—

Clause 1, page 1. line 6, after “determined,” insert “by eviction consequent on a judgment or decree for possession on account of non-payment of rent.”

THE CHAIRMAN: The hon. and learned Gentleman is quite in Order.

MR. W. KENNY said, he was perfectly prepared to move his own Amendment when it was reached. The title of the Bill showed the tenants alone in favour of whom this first section was in-

tended, and once they got the case of an eviction against a trespasser, which was not an eviction of a tenant, they would draw the net of the first section so as to include not only tenants evicted for non-payment of rent but the former occupier as well, whose holding the landlord might have bought and given a consideration for, and former tenants who had surrendered to the landlord. It was clear that unless some Amendment of this character were inserted the Bill would involve a number of other cases beyond those to which it was directed.

Mr. CARSON (Dublin University) said, he considered that the points put by the hon. and learned Member for the Stephen's Green Division required an answer. It was most essential that at the very outset of the Committee stage they should know what class of tenants they were going to deal with in Ireland and what cases of evictions. The Solicitor General had made the startling statement that the word "determined," instead of the expression "evicted for non-payment of rent," had been used so as to include something else besides evictions for non-payment of rent, and he gave the Committee a most extraordinary case in which this compulsory power was to be exercised—namely, that where the interest of a tenant had been purchased in open market by another person, notwithstanding such purchase, the former tenant was to go back as if his interest was still in existence.

SIR R. T. REID observed, that what he had said was that there might be a case of sale *fi. fa.* in which it would be desirable the arbitrators should have the power given under this Bill. A case might occur, for instance, in which the tenant's interest was put up by the Sheriff and purchased by the landlord for half-a-crown.

Mr. CARSON wanted to know whether the Bill as it stood enabled the arbitrators to put back into his holding a tenant the interest of whose holding was sold in the public market? Did it or did it not? Surely they had a right to know that.

SIR R. T. REID: I gave an illustration in which I thought that might be done which ought to be done.

Mr. CARSON asked the Solicitor General to indicate what was to be the limit of the amount of the purchase

money up to which this power was to be exercisable, and contended that it would be extremely difficult to lay down such a limit. The determination of a tenancy in the 20th section of the Act of 1881 covered cases of purchase, and also those in which the tenant had voluntarily surrendered, or where the tenancy had been determined by the operation of the law. Was the Bill to apply to such cases? If so, it would inflict serious injustice. Again, the Land Act of 1881 allowed a fair rent to be fixed subject to statutory conditions. If the tenant broke one of the statutory conditions, the landlord had a right to turn him out and determine the tenancy. He should like to know if that case would come within the Bill and the tenant be put back? It would be an extraordinary thing if breaches of the statutory conditions of the Act of 1881 were to be forgiven by Parliament, and the tenants who had committed these breaches were to be reinstated in their holdings. He pointed out that the 13th section of the Act of 1891 was permissive, whilst this section was compulsory, and so long as they retained the words "determination of a tenancy," and at the same time had a compulsory section, they were raising a number of cases which were entirely outside the scope of the Bill.

Mr. T. M. HEALY said, that if they were to take the general discussion on this particular Amendment it would necessarily rule out all other Amendments on this particular point. He submitted that on this Amendment the only thing relevant would be a discussion as to whether the eviction should be physical or within the meaning of the law; but the Members for Dublin University and for the Stephen's Green Division had proceeded to discuss the further question of the nature and class of the tenants, the latter hon. Member anticipating the discussion on his own Amendment later on. If they were to discuss the larger branch of the question now, he submitted they could not also discuss it subsequently. As to the word "determined," he would like to point out that it came from the eviction-made-easy clause of the Tory Act of 1887. The point of the objection to the Government clause was that they had copied Section 7 of the Tory Act of Parliament of 1887.

Mr. W. Kenny



MR. J. CHAMBERLAIN (Birmingham, W.) thought the hon. and learned Member for Louth had misapprehended the object of this Amendment. What they were raising was the question whether there was any difference between the "determination of a tenancy" and the "eviction of a tenant," and if it was decided that the former words were to stand it would be perfectly in Order for any hon. Member hereafter to seek to limit the causes for which that determination should take place. The determination of a tenancy in the Act of 1887 was to be for non-payment of rent, so that it was not relevant to the discussion in which they were now engaged. Surely in a matter of this kind it was desirable to limit the operation of the Bill as far as possible to the cases in which intervention was considered to be absolutely necessary. It could not be to the interest of the Government that the Bill should deal with any cases other than those which gave rise to the social and administrative difficulty against which they were legislating, neither was it desirable that the new tribunal to be set up should be occupied in the consideration of cases which the Government did not intend should come under the Bill. The Solicitor General said that they must trust a great deal to the discretion of the tribunal; but surely cases which were outside the scope of the Bill ought not to be allowed to go before that tribunal merely in order that this discretion might be exercised. Think of the loss of patience on the part of the tribunal called on through the laxity of Parliament to consider cases which it never ought to have been called on to consider! Take the case of a tenant who in the year 1879, wishing to emigrate to America, voluntarily went out and surrendered his tenancy. In that case the tenancy was determined in the words of the clause. Now, did the right hon. Gentleman mean that the man could come back and claim to be reinstated in his holding? He was sure he had only to put the case to ensure a negative answer. That clearly could not be his intention. He appealed to the Chief Secretary, if he could not accept these words, to state how far he would go in limiting the cases which were to be brought before the tribunal.

MR. SEXTON (Kerry, N) said, it must be evident in the case just quoted by the right hon. Gentleman the Member for West Birmingham (Mr. Chamberlain) that the tenant who had surrendered his tenancy of his own free will and gone to America, and then returned and desired against the will of the landlord to get back into his holding, would not be permitted to do so. The arbitrators under the Bill would clearly hold that there was no *prima facie* case for reinstatement. [Opposition laughter.] Hon. Gentlemen appeared to forget that the tribunal proposed by this Bill was to be an official tribunal, and not one composed of agitators or tenants. The laughter the House had just listened to was a disrespect to the three eminent gentlemen whom it was proposed to appoint as arbitrators. One of them was the leader of the Equity Bar in Ireland; the second was the Clerk of the Crown in the City of Dublin, and the third was the senior Adjudicator in fixing fair rents under the Land Act of 1881. These gentlemen were surely to be entrusted with the making of an Order which would be consistent with justice when the question arose. Would it be seriously contended by the right hon. Gentleman the Member for West Birmingham or anyone else that if a tenant voluntarily left his holding and went to America, and then returned and sought to be reinstated, that his case would be listened to by these gentlemen? It would not receive serious attention either from them or from any other body of arbitrators. He had pointed out the character of the tribunal, and the confidence that ought to be reposed in it, and now he would ask what was the object of the Bill? He submitted to Members on both sides of the House that it was to cover the case of tenants, who since 1879, in consequence of the agrarian struggle which had taken place in Ireland, had lost their status as tenants, and all their legal rights adhering to that status. This was specially so in the case of the present tenants. The object of the Bill was to put it in the discretion of the arbitrators to restore tenants of this description to the same position as if their tenancies had never been determined. The Amendment before the Committee proposed to omit the word "tenancy" and insert "tenant," so as to

provide that the clause should only cover cases "where the tenant had been evicted." Were they to limit themselves to cases of absolute physical eviction?—and not being a lawyer he would not presume to discuss whether certain evictions were physical evictions or technical legal evictions. If they were to alter the clause as now suggested, only physical evictions would be meant. If the words he had referred to were put in they would exclude two large classes of cases in which assistance might be absolutely required. The hon. and learned Member for St. Stephen's Green (Mr. Kenny) had made that clear, for he spoke of a case where the tenancy might be determined, not by eviction, but by the fact that the landlord, instead of bringing an action for the recovery of possession of the land, brought an action for the recovery of the rent, obtained judgment against the tenant, and proceeded to sell the tenant's interest in the holding. The landlord himself bought the interest of the tenant, and the hon. and learned Gentleman held that the eviction of the tenant consequent upon that proceeding was not the eviction of a tenant, but of a trespasser. If that were so, then the case of the trespasser should be provided for in the Bill. In the early years of the agrarian struggle, and especially on the estate of Lord Cloncurry, although it was the case on other estates as well, the landlord, instead of proceeding for the land, proceeded for the rent, and obtained a writ of *fi. fa.*, and sold the tenant's interest in the land. The landlord bought it for 2s. 6d., or £1, or £5 as the case might be, for the reason that on estates of this kind in the then state of public feeling in Ireland no one would take part in the bidding, and the land would go for any price that was offered. The tenant in these cases was deprived of his status as tenant because he owed one or two years' rent, and he suffered as much as if he had been physically evicted. The Irish Members could not, therefore, for one moment entertain the idea that the Bill was to be limited only to cases of physical eviction. The other class of cases to which he referred was one with which the hon. Member for South Tyrone (Mr. T. W. Russell) was very familiar—namely, the case of those who under the Act of 1887, passed by the right hon. Gentleman the Member for

*Mr. Sexton*

Manchester (Mr. A. J. Balfour)—were not physically evicted, but had been served with registered letters of eviction through the post. Upon the receipt of that registered letter, delivered to whom it might be by the postman or anybody else, the tenancy was determined, the tenant ceased to be the tenant, and lost all his rights and all he had in the world—his improvements, his right to compensation for disturbance, and everything. He was turned into a caretaker, not by physical expulsion or eviction such as was now under discussion. The moment the tenant became a caretaker the landlord came into occupation of the land. There were thousands and tens of thousands of such cases in Ireland. Many of these tenants were prevented from coming into the Land Court by reason of that process, and it must be obvious that if there was to be any amelioration of the condition of things in Ireland, anything to contribute to the healing of the social sore, the claims of these people must be equally within the sphere of arbitration as the claims of other evicted tenants. He need say no more than that the insertion of the words "that where the tenant has been evicted" would be fatal to the whole Bill.

Mr. J. LOWTHER (Kent, Thauet) said, that the questions which had been addressed to the right hon. Gentleman opposite, and which were no doubt very difficult to reply to, opened up a very serious problem. This Bill, as its title showed, was introduced by Her Majesty's Government to deal exclusively with what were known as "evicted tenants." As he (Mr. Lowther) understood some of the arguments addressed to the Committee, there was a wish on the part of some hon. Members to very materially enlarge the scope of the measure. They were now told that the term "evicted tenants" did not adequately describe those persons for whom public money was to be obtained. It was said that the proper time for taking exception to this Bill being confined to *bonâ fide* evicted tenants was when the right hon. Gentleman opposite moved for leave to introduce the Bill. Now the right hon. Gentleman was, he (Mr. Lowther) admitted, at some disadvantage in expounding Irish law, assisted only by no doubt very eminent legal advisers, but gentlemen who were Scotch representa-

tives, and who would be the first to admit that, so far as the interpretation of Irish law was concerned, they were *ad hoc* laymen and could not claim to speak as experts. If he (Mr. Lowther) were to appeal to the right hon. Gentleman, fortified by the legal advice he had referred to, he would ask him what he intended by the Bill? Did he intend it to apply solely to evicted tenants, or did he not? If he (Mr. Lowther) correctly interpreted the words of the clause, any person who happened at any period of time since 1879 to occupy a holding in Ireland and to have been evicted on any grounds whatsoever, or to have given up a farm as a voluntary act, receiving hard cash for doing so, would under the Evicted Tenants Bill be able to come—although he had never been evicted in the whole course of his life—and ask for a share of this public plunder which was being distributed among certain of these excellent classes in Ireland. Did the right hon. Gentleman mean that? He (Mr. Lowther) was not going to touch on the morality of the Bill. This was not the part of the measure upon which that question properly arose. He was not laying down that those who had been evicted had any more claim (if so great a claim) to public money as those who had voluntarily given up their holdings for causes which commended themselves to their judgment. If he were to discriminate he should say that those who had given up their holdings according to due process of law, and had not associated themselves with criminal conspiracies, had a far greater claim to a share of the public fund than those who had been connected with such discreditable and illegal transactions as those which had specially, apparently, enlisted the sympathies of the right hon. Gentleman the Chief Secretary for Ireland. He hoped the right hon. Gentleman would clearly explain to the House what he meant by his Bill—whether or not he intended to shower this public money recklessly on every person who chose to apply for it?

MR. J. MORLEY said, the right hon. Gentleman had asked him whether he intended to confine the Bill within the scope of the measure the House gave him leave to introduce. But the Bill had been read a second time, and they must start from that point. The principle of

the Bill was to appoint a tribunal to which certain cases of dispute could be referred. The right hon. Member for West Birmingham used the very expression that he himself would have used to have expressed these special cases when he said that the cases that should be brought under the Bill were those “that gave rise to social administrative difficulties.” That was perfectly true; and in order to carry out that policy it was necessary that the words adopted in the Bill should be of a very general character. If that were not so—if the words were narrowed—it would be impossible for them to cover every kind of case that might arise, and they would be doing their best to baffle the object they had in view. That was his answer to the right hon. Gentleman’s question. The right hon. Gentleman (Mr. J. Lowther) put the case of the tenant who surrendered his holding in 1879 receiving money for it and going to America, and who subsequently returned and sought to be reinstated. The right hon. Gentleman asked whether it was intended to give relief to such a man as that. Clearly nothing of the kind was intended. No doubt, if such monstrous cases as had been suggested were brought before the arbitrators, they would not entertain them. The right hon. Gentleman the Member for West Birmingham had spoken of the laxity of Parliament and had said that they ought not, through the laxity of Parliament, to throw a burden on the shoulders of the arbitrators that they ought not to be asked to bear. But “the laxity of Parliament” was, after all, only one way of describing what they really intended. The Government wished to leave these arbitrators as wide a discretion as they possibly could. The hon. Member for Dublin University had exercised his ingenuity in placing before the Committee a number of hypothetical cases that might arise, and had said what a monstrous thing it would be if in such cases as he had suggested any relief were given under the Bill. Of course, it would be a monstrous thing that in such cases relief should be given, and it was just for that reason that the Government felt they could safely allow the claims of such tenants to go before the tribunal. The arbitrators would at once say that they were monstrous cases, and would refuse to accede to the applications. It was

desirable to maintain general words in the clause. They desired to leave the tribunal the widest discretionary powers, and to shut as few doors as possible to their arbitration in cases which they thought it desirable in the interests of peace and order to entertain. Therefore, they had used the general words contained in the Act of 1891, because they wished, as the framers of the Act did, to cover as large an area of these unfortunate cases as they could. He could not see that the propriety of the words used had been shaken.

\*MR. T. W. RUSSELL said, he should have preferred to see this question dealt with by another Amendment lower down on the Paper. It was unreasonable for the Government to go back, he contended, to the 13th clause of the Land Act of 1891 as a justification for the words used and as a proof that no harm was likely to befall the landlord. That clause had a purely voluntary action, and formed the machinery alone by which the landlord and the tenant could be brought together for negotiations for purchasing the holding; but here in this Bill there was a special inducement for every person whose tenancy had been determined since 1879 to come forward and argue his case before the arbitrators, to whose decision everything was left. This was a very different procedure to that under the 13th clause of the Land Act of 1891, and therefore that clause, he maintained, could not justly be quoted as a precedent. Besides, the 13th section of the Act of 1891 had reference to purchase and not reinstatement. Take the case of a tenant against whom a landlord had proceeded for rent. The Sheriff came upon the land, seized everything, and sold the interest of the farm. Supposing that after everything had been sold up the tenant still continued on the farm. In that case, so far as he knew, the tenancy was not legally determined—[cries of "No, no!"]—and the landlord would have to proceed to eject the tenant by physical force. ["No, no!"] Then how was the landlord to get him out?

MR. DILLON: The tenant's interest being sold, the landlord would be the occupier, and the tenant would at once become a mere trespasser on the land.

\*MR. T. W. RUSSELL: That is the case of my hon. and learned Friend, and

this Bill, therefore, is a Bill to deal not alone with tenants, but with trespassers. I am not to be taken as opposing that. You would find in a large number of cases that that would represent the actual fact; and while admitting only from the standpoint of the promoters of the Bill that such men would be trespassers, I think that it should be stated, if they really regard them as such.

MR. T. M. HEALY: I would point out that the amount of money is only £250,000, and it is therefore obvious that the Government intend to apply the fund only to the most deserving cases. If the arbitrators entertained such cases as some hon. Members have suggested—even if they were foolish and culpable enough to do that—the money would not be enough to go round.

MR. ARNOLD-FORSTER (Belfast, W.) said, that as a layman, and one representing a constituency that was not agricultural, he desired to say a few words on the Amendment. It seemed to him most unfortunate that the first operative line of the Bill was not to be relied on. The title of the measure said it was a Bill for the relief of evicted tenants; but on the first line they came to discuss, they were told that so far from that being the case they were prohibited from inserting the title in that place, for the reason that it was intended to make a class of people who were not evicted tenants beneficiaries under the Bill. It should be remembered that there were many business men in the North of Ireland who of late years had had transactions with new tenants in the South, who, if that class of farmers were obliged by the Bill to surrender their holdings in order that some evicted tenant should be reinstated in his old farm, would lose their security. It was not, he submitted, an impossible case that a tenant who voluntarily gave up his holding some six or seven years ago should subsequently, on his return from America, claim to be reinstated. Such a case actually occurred within his own knowledge. A meeting was called to consider the matter, and the curious thing was that the question raised was not whether or no the claim was a valid one, but solely how much compensation should be paid, not by the ex-tenant, but by the sitting tenant for the right to remain.

Mr. J. Morley



So far from this being an out-of-the-way case, it was reported in the local papers, and it was decided to hold a meeting, should the tenant prove recalcitrant, in order to compel him to allow the tenant in America to resume possession. He did not think such a case was unlikely to occur again. He would like to know further if they were clearly to understand that, although the circumstances by which the tenancy had been determined came within the purview of the Bill, the representatives of a tenant who had since died would be entitled to take possession.

MR. A. J. BALFOUR (Manchester, E.) said, it would not be denied that even if the Amendment were carried the provisions of the Bill would still cover a good many cases which in the judgment of the House ought not to benefit under it. That was practically admitted by the hon. Member for North Kerry, as well as by the Chief Secretary himself. Two arguments had been addressed to the Committee by which it was sought to show that the superfluous width given by these words would be practically kept in check. The first argument adduced was the extraordinary one of the hon. Member for North Louth with reference to the amount of money being £250,000, and therefore that for mere lack of cash the cases that they did not mean to include could not be dealt with. If the argument was to have any weight at all it would cause the new tribunal not to decide any single case until it had every case before it—that was to say, the whole body of tenantry or ex-tenantry to be relieved by the Bill must be before the tribunal before it decided the allocation of the funds. The second argument was that on which the Chief Secretary relied. It was to the effect that the Government were appointing a number of gentlemen to form a Commission, and that their discretion might be absolutely trusted to exclude from the operation of the Bill every case which ought not to be included in it. He did not wish to say a word against the excellent gentlemen who were to form this Commission, though if hon. Members were to go on covering every defect in the Bill by applauding the virtues of these gentlemen it would in all probability be necessary for someone to say of these gentlemen that whatever might be

their merits they did not inspire that abnormal amount of confidence which appeared to be reposed in them. It was sufficient for him to point out also that these gentlemen were distinctly required by the Bill to take into consideration the circumstances of the district. It appeared to him that if a tenant came back in the circumstances which had just been mentioned by the hon. Member for West Belfast, and if he contrived to make himself sufficiently dangerous to the peace of the neighbourhood, and sufficiently disagreeable to the powers that be, this tribunal would be obliged, from the very nature of their mandate, to consider whether he ought not to be reinstated in his holding. But even if that should not be the case, he put it to the Chief Secretary whether it was fair to put the landlord to the cost of proving to the tribunal that there was not a *prima facie* case for consideration? This would involve the landlord going to his solicitor to have a case made out and the necessary affidavits drawn, and such work would involve all the initial expenses which the Legal Profession knew so well how to accumulate. Granting that the tribunal would do justice, he urged that it was an unfair burden to put on the landlord to require him to prove by costly process that such-and-such a tenant left his holding in circumstances which did not properly bring him within the intention of the Bill. Let the Committee define its intentions in the Bill, and then none of those difficulties would arise. In that event the Committee would have done its best to guide the tribunal, and if it went wrong the blame would rest on the Commissioners, and not on the legislative work of the House.

MR. J. MORLEY pointed out that the right hon. Gentleman appeared to have misapprehended the operation of the sub-section. No costs could fall on the landlord until the arbitrators had made the conditional order. The *prima facie* case had to operate on the minds of the arbitrators before they made the conditional order.

Question put.

The Committee divided :—Ayes 213 ; Noes 159.—(Division List, No. 189.)

MR. BRODRICK (Surrey, Guildford) said, he had to move to qualify the

word "holding" by inserting the words "which is valued under the Acts relating to the valuation of rateable property in Ireland at not more than thirty pounds a year."

This was by no means an unfair Amendment, and it introduced no novel principle. On the contrary, the exceptional feature of the Bill was that it left out this limitation, which was included in almost all previous measures of a similar kind. He looked back to the Acts which had been brought in from time to time to relieve either temporarily or permanently the tenants of Ireland from disaster and trouble due sometimes to their own action, and sometimes to causes beyond their control, and he found this provision occurred in almost every Act and in that for which the Chancellor of the Exchequer was himself responsible in 1880. The Compensation for Disturbance Bill of 1880, which had been so often quoted as the beginning of all the trouble in Ireland, the Land Act of 1881 (with respect to arrears), the Arrears Act of 1882, and the Arrears Bill introduced by the hon. Member for Waterford, all were confined to holdings of under £30 valuation. He well remembered the arguments advanced for treating these tenants in an exceptional manner. They were alleged to be a class whose poverty and whose ignorance had prevented them from benefiting by free contract. It was important, too, to bear in mind that these holdings were 85 per cent. of the whole tenancies in Ireland, and, therefore, the Amendment would not exclude the men who ought not to be excluded. The small tenants were precisely those who had lost most by eviction. The tenant of a holding of 300 or 400 acres would not be appreciably benefited by the grant of £50 proposed to be made under the Bill, whereas the tenant of a farm of £30 valuation would benefit from a grant which represented nearly two years' rent. The hon. Member for East Mayo in 1886 made a speech in which he laid down a programme specially directed to the case of this poor class of tenants. He said, on the 14th of October in that year—"Would they not be better off with 30s. or £2 a week and their hands in their pockets, instead—"

THE CHAIRMAN: Order, order! I do not think that that is relevant to the Amendment.

*Mr. Brodrick*

MR. BRODRICK said, he thought he would be able to show that it was absolutely germane to the Amendment, because special inducements were held out to these smaller tenants to join the Plan of Campaign. But if they took the case of a man who paid £40 a year in rent, and offered him £100 a year to come out and sit idly, surely they offered such a man a strong inducement to quit his holding.

THE CHAIRMAN: That has nothing to do with the Amendment. I must ask the hon. Gentleman to keep in Order.

MR. BRODRICK said, he bowed to the ruling of the Chairman, and would address himself to other arguments in supporting his point that evicted tenants of larger status should have the least right to look to the indulgence of the House. He would call the attention of the Chief Secretary to the position of the tenants on the Glensharold estate, and more especially to a letter written by the Bishop of Limerick on the 13th May, 1890, about those tenants—[*Cries of "Order, order!" from Nationalist Members.*] He knew that that letter was a most inconvenient citation to hon. Gentlemen below the Gangway, but, all the same, he proposed to read it. There were 43 tenants on the Glensharold estate. The old rent they paid was £738; the judicial rent was £542, and the new rent proposed was £384. They owed five years' rent, or £2,611, and yet the landlord was willing to accept one year's rent at the new figure—namely, £384, and allow them back again to their holdings. The Bishop of Limerick was anxious that the tenants should accept those terms, and in his letter he made an appeal to one of the larger tenants not to stand in the way of a settlement—

THE CHAIRMAN: Order, order! The hon. Member has not appreciated what I said just now. My ruling was that the mode in which the tenants may have lost their holdings has nothing to do with the Amendment.

MR. BRODRICK: I must venture with great respect to say, Mr. Mellor, that you cannot have understood the point I was offering to the Committee. It is this—that those large tenants have no claim on the indulgence of the House.

THE CHAIRMAN: If the hon. Gentleman confines himself to that he will be quite in Order. But he must not

go into the question of the way the tenants lost their holdings.

MR. W. REDMOND: On a point of Order, Mr. Mellor—

THE CHAIRMAN: The point of Order has been settled.

MR. W. REDMOND: It is another point of Order, Sir. I wish to ask you whether, when you have given your decision as to a matter being in Order or not, it is in Order for the hon. Gentleman in possession of the House to argue the matter?

THE CHAIRMAN: Order, order!

MR. BRODRICK said, he desired to show that one of the tenants who had a large holding on the Glensharold estate was appealed to by the Bishop of Limerick to give way, and that if that large tenant had given way the other tenants would have followed suit. There was no doubt that if the larger tenants on all those Plan of Campaign estates had set the example of giving way, the smaller tenants would have been only too glad to have availed themselves of the terms offered by the landlord; and that was why he urged that the relief proposed by the Bill should be confined to the smaller tenants. He would give the Committee an example of the larger tenants whom he sought to exclude from the benefits of the Bill. He knew the case extremely well. It was that of a man who had been farming between four and five hundred acres of land and paying £450 a year rent. The tenant got into arrears, and was evicted in 1881, 13 years ago. The landlord took up the farm, and spent between £4,000 and £5,000 on it, one-third of which amount was sunk in permanent buildings. The tenant, after spending 10 or 12 years in America, came back last year, settled himself down at the landlord's gate, and now expected to get back to the farm under this Bill without paying a farthing. Surely, it was preposterous and absurd to reinstate such a man. The arbitrators would have no power to order the landlord more than one year's rent, £400, and out of the farm he would have to go, after spending £4,000 in improving it. Would it be surprising if the landlord in such a case—having lost all his capital and having a worthless and bankrupt tenant forced on him—laboured under a deep injustice? Surely, such a man would have the sympathy and support of

every honest man in Great Britain, if he fought to the last, by every legal means, in order to preserve his property. The Committee could hardly be aware of the large number of men of substance and means who, unless his Amendment were accepted, would be reinstated under the Bill. He paid recently a visit to the Ponsonby estate, and while he regretted to see many small houses dilapidated and fallen in, he saw a few houses which did not arouse his sympathy or regret at all. He saw one excellent house, the lands of which were at present stocked by the owners of the estate. He found out that this place had belonged to a man who carried on the trade of a butcher in Youghal. That man was not a farmer in the ordinary sense; he was not depending on the land for a livelihood; and was it not monstrous to propose that in such a case the landlord should be turned out of the farm and the Youghal butcher allowed to come back like a conquering hero? He asked the Committee to exclude such men from the benefits of the Bill. If his Amendment were accepted it would relieve from the Bill some of the more objectionable and ridiculous features of the Bill; it would make the Bill less demoralising; and more just, so far as justice could at all enter in its proposals.

Amendment proposed, in page 1, line 5, after the word "holding," to insert the words

"which is valued under the Acts relating to the valuation of rateable property in Ireland at not more than thirty pounds a year."—(Mr. Brodrick.)

Question proposed, "That those words be there inserted."

MR. J. MORLEY: The hon. Member has really brought forward a Second Reading set of objections to the Bill. The Amendment would exclude farms the valuation of which is over £30 a year from the operation of the Bill. There were 1,483 holdings inquired into by the Mathew Commission, and of these 226 were holdings over £30 a year rent, which though not quite the same thing as the valuation is about the same, so that if the Amendment were carried it would exclude something like 14 or 15 per cent. of the cases inquired into by the Mathew Commission. I cannot say that my hon. Friend has made out any particular case for excluding large holdings and allowing



small ones to come in under the Bill ; but in any event I do not desire to lay down a hard and fast rule like this for the arbitrators. The arbitrators must have a wide discretion ; they will be an arbitrating tribunal ; and if the circumstances of the district, and the circumstances of the holding—whether it be a large holding or whether it be a small holding—justify the issue of a conditional order, and afterwards the making of the conditional order absolute, in view of the policy of the Bill, the size of the holding has no bearing on the question the arbitrators will have to settle. The question of the landlord's improvements, which is the question really raised by the Amendment, is dealt with in another part of the Bill, and as there are Amendments down to it, I will deal with the question when we come to them. But I must resist this Amendment.

MR. SMITH-BARRY (Hunts, S.) said, that the Chief Secretary said that the tribunal was going to be an arbitrating Bill. But the arbitrators would be bound by the terms of this Act, and therefore they would be bound to deal with all cases that came before them under the Bill. The hon. Member for Louth said just now that there was only £250,000 to deal with under the Bill, therefore in his opinion they ought to confine the money to the most deserving cases ; and he thought his hon. Friend was perfectly right in bringing in an Amendment to limit the operation of the Bill to the most deserving cases, or, as he would put it, to the least undeserving cases. He thought the large men were able to take care of themselves. The principle that the large men were able to take care of themselves ran through all the land legislation of the House. The large men were excluded from the Arrears Act of 1882, introduced by the right hon. Member for Midlothian, and the Amendment of his hon. Friend ran on the lines of that Act. Again, when the Purchase Act of 1891 was introduced, Mr. Parnell moved an Amendment to limit it to holdings valued under £50.

MR. T. M. HEALY (Louth, N.) : He was not dealing with the evicted tenants.

MR. SMITH-BARRY said, that was so, but Mr. Parnell, in making that proposal, admitted that the large men were well able to take care of themselves. He maintained, indeed, with regard to

these evicted tenants, that they were capable of taking care of themselves, but certainly the bigger men could make terms with their landlords if they pleased to do so. The amount of money to be advanced was not a large sum. If there were any deserving cases at all among the evicted tenants they were to be found among the small men, and he cordially supported the Amendment proposed by his hon. Friend.

\*MR. T. W. RUSSELL (Tyrone, S.) said, he was not able to support the Amendment. The hon. Gentleman quoted Mr. Parnell's Amendment to the Land Purchase Act of 1891. He did not think the hon. Gentleman supported Mr. Parnell on that occasion ; he (Mr. Russell) certainly did not, and he knew that in another place Lord Londonderry carried a clause which practically made an end of Mr. Parnell's proposal. But he had a more apt illustration for the Committee. The late Government proposed to reinstate evicted tenants under Clause 13 of the Act of 1891, and they did not limit the operation of that section in the way the Amendment proposed. As a matter of fact, most of the evicted tenants who had been reinstated under that section were in the possession of holdings valued above £30 a year. Therefore, he was not going to be driven from the 13th section of the Land Act of 1891 ; he stood by it, and if the Unionist Government put no limitation on that section he was not going to adopt a limitation now. Besides, there were other grounds for rejecting the Amendment. They must face this Bill, having passed its Second Reading, as a Bill that might become law ; and he was not prepared to leave 15 per cent. of the evicted tenants behind, like an open sore festering and breeding corruption. With regard to the Youghal butcher to whom the hon. Gentleman referred, if he had chosen he could have gone back to the farm under the 13th section ; but he should say, in reference to the returned American, who had settled down at the landlord's gate waiting to get possession of his holding, that the Chief Secretary ought not to be allowed to get the Bill until he provided directions excluding the arbitrators from dealing with such a case as that.

MR. MACARTNEY (Antrim, S.) said, he agreed with his hon. Friend the Member for South Tyrone that the Bill

might possibly become law; but he could not understand that that was any ground for refusing a perfectly reasonable Amendment. It was perfectly true, as his hon. Friend had pointed out, that the 13th section of the 1891 Act drew no such limitation. But it must be remembered that this Bill proposed to devote the limit sum of £250,000 to the reinstatement of evicted tenants, which numbered 4,000. It was obvious that that sum was absolutely inadequate to carry out such a purpose; and, therefore, even from the Government's point of view, it was highly desirable that the money should be put to the best possible advantage. Tenants over £30 a year valuation would be well able to provide the resources for reinstatement themselves; and it was the poor man that should have the first pull at the limited sum placed at the disposal of the arbitrators. He believed the Amendment would strengthen the Bill rather than weaken it. If there was to be any favour shown to any class of tenants it should be shown to the smaller class, very few of whom, he believed, would have gone out if it had not been for the coercion put upon them by others who could pay their rents, but did not chose to do so. If the Amendments which were proposed to this Bill were to be met by simply referring to the discretion which was to be exercised by the tribunal, and if no attempt were made to show some reason against them, the arguments of the Treasury Bench would become ridiculous. He hoped before the discussion concluded some wiser reason would be shown for rejecting this Amendment than had yet been given. He was convinced that the Amendment would be one for which the arbitrators themselves would be thankful.

COLONEL SAUNDERSON (Armagh, N.) was rather surprised that the hon. Member for South Tyrone saw any difficulty in supporting the Amendment. The hon. Member appeared to see such difficulty altogether because of the fact that he was a supporter of the 13th clause—he believed he was partly the author of it.

MR. T. W. RUSSELL: I was not the author. I moved it.

COLONEL SAUNDERSON: We may be led to suppose, then, that he approved of it?

MR. T. W. RUSSELL: I do now.

COLONEL SAUNDERSON said, his hon. Friend would see that there was an immense difference between the arrangement made under Clause 13, and the proposal under this Bill, and indeed the hon. Member had alluded to it himself. Under the Bill of 1891, the arrangement between the landlord and tenant was entirely compulsory, whereas under the present Bill it was a matter of forcing the evicted tenant back upon the land. He did not, therefore, see any logical grounds upon which his hon. Friend could refuse to support what he regarded as a reasonable proposal. He thought in this discussion they had arrived at the guiding principle which would influence right hon. and hon. Gentlemen on the Treasury Bench in meeting the various arguments that were addressed from that side of the House. They had heard the Chief Secretary and the Solicitor General, and both right hon. Gentlemen evidently realised that the proposals in this Bill were proposals such as had never yet been submitted to any Legislative Assembly in the world, and proposals which, he imagined, even their ingenuity was not sufficient adequately to grapple with. Therefore, as far as he could make out from the speeches of the Chief Secretary and the Solicitor General, they appeared to agree on this point: that all these difficulties and objections, which they must have already discerned, could only be overcome in one way, and one alone. They appeared to agree that all these difficulties would be solved because they had, for the first time in the history of Ireland, discovered three upright and unbiased Irishmen who, when this difficult point was submitted to them, would give a righteous, upright, and logical decision. There was one remark which the Chief Secretary made to the proposal of his hon. Friend which threw some light on the course the Government had taken. The right hon. Gentleman said if they accepted the Amendment it would strike at the very principle of the Bill. The principle of the Bill was certainly very clear. It was a Bill to reinstate a certain class of evicted tenants—namely, the Plan of Campaign tenants. The hon. and learned Member for North Louth indicated this fact when he said that the arbitrators would have little difficulty, because as

the sum they had to deal with was limited it could only be applied to a limited number of tenants. The natural inference, therefore, was that when these three upright, intelligent, and logical gentlemen met to examine this Bill they would say it was brought into the House and carried through Parliament with a certain object, and that was to reinstate a certain class of tenants—namely, that class which was a public danger—the Plan of Campaign tenants. As this sum of money was barely sufficient to deal with them, the money must be allocated in that direction, and, therefore, on these grounds, the proposal of his hon. Friend was a reasonable proposal. The Bill would be just as objectionable to him even if this Amendment passed; but he supported it because he wanted to limit the scope of these upright and just gentlemen. As the Bill was drawn there was absolutely no limit to the scope of these gentlemen when they met together in solemn conclave, and he supported the Amendment, not because he thought it would make the Bill a good one—for no Amendment could do that except the Amendment he moved that the Bill be read a second time this day six months—but because it would define to a certain extent the scope of the operations of these three just Judges who were to meet in Ireland and decide the fate of landlord and tenant.

VISCOUNT WOLMER (Edinburgh, W.) said, the Solicitor General had stated that the policy of the Government was to make, through this Bill, a final settlement of the difficulty. It was impossible, from the nature of the case, that it could do that. It would, however, awaken hopes among the evicted tenants which it would be impossible to fulfil because of the limited amount of the funds. If the Government were not prepared to face the problem as it really existed, and ask for more money, surely they ought to accept an Amendment to narrow the scope of the Bill, and thus enable some of the hopes that had been awakened to be satisfied.

MR. J. LOWTHER (Kent, Thanet) said, that when he first heard the Amendment proposed he felt a doubt as to how far he could consistently support a policy which proposed to draw a distinction between the larger and smaller tenants, because he had always contended that

the sub-division of the land into small holdings was one of the curses of Ireland. He regarded with great jealousy any premium put upon the indefinite sub-division of holdings and any discouragement offered to the aggregation of land in holdings of a reasonable size, and therefore if his hon. Friend's Amendment had to be considered apart from wider considerations he certainly could not support it. He held that the fund at the disposal of the Government was miserably inadequate to accomplish the object for which the Bill had ostensibly to be passed, and it would not deal with more than the fringe of the subject. Any proposal, therefore, which suggested the withdrawal of a material percentage of the claimants on that limited and inadequate fund was deserving of careful consideration. The financial provision was beneath contempt as a settlement of what was called a great question, though he might say in passing he did not admit that there was any question to be settled at all. These people, who were to be treated with consideration—both those his hon. Friend proposed to exempt and those who came within the provisions of the Bill—were discharging a very useful object-lesson on the high road by demonstrating that dishonesty did not always pay in this world, and the longer they remained to illustrate this valuable object-lesson the better it would be for the community at large. The proposal of his hon. Friend would relieve the fund from a very substantial number of claimants, but even if the Amendment were adopted, the Bill would still remain one which he hoped hon. Gentlemen on both sides of the House would refrain from passing into law.

\*SIR T. LEA (Londonderry, S.) said, that whilst he agreed that the Bill as it stood was a bad Bill, it had, after all, passed the Second Reading, and if there was any administrative difficulty they ought to do what they could to lessen or avoid it. Having on the various Land Bills endeavoured to give them the widest scope, so that tenants might obtain the utmost privileges they could by legislative enactments, he thought they ought not to limit the operation of this clause. In the case of the Land Purchase Bill of 1891 the Government desired to limit its benefits to tenants under £30 valuation, but he moved to

extend the limit to £50, which was ultimately agreed to. The policy of all parties in Ireland up to the present time had been to extend these Acts without restrictions of any kind, and they who disapproved and disliked the principle of this Bill, now that it had passed the Second Reading, should, if there was any chance of its doing away with this administrative difficulty, be willing to see it extended to all farms on an estate.

\***MR. FISHER** (Fulham) had no difficulty whatever in supporting this Amendment, for the very reasons adduced by the hon. Members for South Tyrone and South Londonderry for opposing it. They said that, in their opinion, there was a social and administrative difficulty and a question to be settled, and if the Bill was to become law they asked the House to extend the Bill with a view to settling the question as much as it was possible. He also desired to see as much as was possible of the question settled, and for that reason he should support an Amendment which would limit the application of this £250,000 in the first place to estates with holdings under £30. This £250,000 would not adequately settle the question. They had, on the Chief Secretary's own showing, to provide certain sums of under £50 for tenants whose houses had been destroyed. Out of that £250,000 they would also have to provide other large sums of money unless they were going to do a great act of injustice to the landlords who, for many years past, had been in possession of large holdings which they had themselves improved in many ways and made profitable; and, in the third place, they would have to provide one year's arrears. The right hon. Gentleman made an altogether inaccurate and misleading estimate of the amount of money that would have to be provided for arrears. He told them that the estimate ought to be formed on the basis of holdings having an average value of £15, similar to the holdings inquired into by the Evicted Tenants' Commission, and in that case the total which would be required for the whole of the holdings which would be inquired into by the three arbitrators would amount to £60,000 for the one year's arrears of rent. But, taking the total number of cases which were embraced in Appendix G of the Report of the Mathew Commis-

sion, in which the tenants claimed reinstatement, the amount the right hon. Gentleman would require would be nearer £130,000 than £160,000. That shattered the whole fabric of the right hon. Gentleman's figures, and would make an enormous inroad into the £60,000 quite outside any calculations he made to this House, and the £250,000, therefore, was totally inadequate to deal with these cases. That being so, and following the argument of the hon. Member for South Tyrone, he said that the application of this money should be limited to the smaller estates. In the case of the Olphert estate, there was not a single tenant evicted whose tenancy was above £30; therefore, if some Amendment were carried limiting the application of the money to estates under the value of £30, they would be sure, if the Bill were carried into law, that, at any rate, they would have enough to go and settle the question on such estates. If no limitation was made, and the amount of money at the disposal of the arbitrators were not increased, the bigger tenants would exhaust the funds, the smaller tenants would find, when they came there, that the cupboard was bare, and they would thus defeat the very object of this Bill by being able to heal only very few instead of a great number of these sores. It was not only the amount of arrears of rent they had to consider, but also the fact that the larger tenants required very much more capital than the others before they could enter upon the farms with any prospect of success. Again, in dealing with these estates, they must have an enormous sum for compensation to the landlord to go out of the farms which he had held and worked with profit for 12 or 14 years past. Outside the Plan of Campaign estates, there were scores of cases of farms where the rental was over £200, and hundreds where it was over £100, where evictions took place many years ago, and which had for years been in the occupation of the landlord. On these grounds he should support the Amendment. He should have preferred that it should have stated that estates of £30 should first be dealt with, and the money afterwards applied to estates of greater value than £30, but in order to secure some limitation in the application of this money he should support his hon. Friend if he went to a Division.



Mr. WYNDHAM (Dover) said, the Amendment before the House was not to limit this section to estates under £30, but to holdings under that amount. If the Bill was to go through in its present form he might perhaps vote against the Amendment; but why should they abandon all hope of converting the Government to their own view, that a voluntary clause was preferable to a compulsory one? Let them give the Government the benefit of the doubt; and until they had shown they would not adopt the view that was held by the Opposition, he could not support an Amendment which would, in his mind, damage the principle of voluntary purchase.

Mr. CARSON said that, of course, if the Government were prepared to give an undertaking that they would reduce their Bill to the purely voluntary principle he should agree with the views of the hon. Member behind him. There was not, however, the slightest hopes of the Government doing any such thing, and, at all events, until they did he thought sufficient reason was shown for limiting the number of persons who were to come under this Bill, and to receive this small sum of £250,000. He had been looking through the Report of the Mathew Commission, and he would quote one case on the Luggacurren estate, owned by the Marquess of Lansdowne, which would serve to show how small the amount of money was which was provided for carrying out the objects of this bill in relation to the large number of tenants who would have to come in if this Amendment or a similar one were not adopted. On the Luggacurren estate there was one holding belonging to a Mr. Dunne. He held something like 1,300 acres at a rent of £1,300 a year. Mr. Dunne was one of the ringleaders of the Plan of Campaign, and was evicted from his holding. Was this House going to allow a gentleman like that, who held 1,300 acres at £1,300 a year, to come in and claim to be reinstated in his holding? Look at the great injustice which anything like that would inflict! In the first place, it would allow one man, at the cost of the State, to reap a large amount of money out of all proportion to the money which would be distributed among the other evicted tenants. In the second place,

a much greater amount of money would be required by the State. It must not be forgotten that such a tenant could be put back against the wish of the landlord, and therefore that the landlord was entitled to compensation. Had the right hon. Gentleman considered the amount of money that the landlord must have expended in keeping up the farm during the six years it was upon his hands? Such a case as that might be comparatively rare, but there were a number of farms that had been let at a rental of from £300 to £400. To all the questions that had been asked by hon. Members on his side of the House the Government had apparently but one answer to make, and that was that it would be a matter for the discretion of the tribunal. That seemed to him a preposterous answer to make. If the Government were willing to pass one Act of Parliament which was to be construed according to the discretion of a limited tribunal, why should they hesitate to adopt that course in other cases? For example, why should they not pass a Land Act that would be applied in the same discretionary way?

Question put.

The Committee divided:—Ayes 133; Noes 198.—(Division List, No. 190.)

Mr. HANBURY moved, in page 1, line 5, after "Ireland," to insert "situate on any estate mentioned in the First Schedule to this Act." He explained that his object in moving this Amendment was to make the Bill a practicable measure. In the first place, if they were to extend the scope of the Bill indefinitely so as to take in tenants of all descriptions who had been evicted, or whose tenancy had terminated between 1879 and November 1st, 1894, it was clear that the number of tenants would be so large that the small sum of money available for this purpose would not be sufficient to meet the exigencies of the case. It was also clear that they were tied by the limitation of time, because the arbitrators were only appointed for two years, and if they did not strictly limit the number of tenants who could come within the scope of the arbitration, two years would be inadequate to deal with the number of cases that would come before them. But, assuming that there was this large

number of tenants, were they going to be dealt with on the principle of first come first served? That would be an unfair principle to adopt. Or were they to refuse to deal with any of them until all the tenants had sent in their claims?

MR. T. M. HEALY desired to call attention, as a point of Order, to a ruling made in the Arrears Act of 1882, with regard to a schedule made by Mr. Playfair, who was then Chairman. Mr. Gibson (the late Irish Lord Chancellor) had made a Motion, and the Chairman stated that no Amendment could be moved in reference to a schedule which was not before the Committee, and that this should be done on Report.

THE CHAIRMAN: I pointed out to the hon. Member for Preston that it was out of Order to move an Amendment to a schedule which had not been brought up, but since then he has brought up a schedule.

MR. T. M. HEALY: I submit that, according to Mr. Playfair's ruling of that day, it is not competent for any hon. Member to move a schedule which did not exist, and that it goes the length of saying that it cannot even be brought up.

THE CHAIRMAN: I do not think the ruling went so far as that. An hon. Member is always at liberty to move an Amendment with a schedule. As the original Amendment was ruled out of Order, the hon. Member has brought up an Amendment and a new schedule, so that he has practically put himself in Order.

MR. HANBURY remarked that the hon. and learned Member for North Louth had raised a good number of points of Order without success. When he was interrupted by the hon. Member he was about to state the reasons which induced him to put down the Amendment with reference to the time. One year only would be allowed wherein to lodge claims. The result would, therefore, be that one year only would be available to deal with the enormous mass of claims sent in, and this period was far too short. With the view, therefore, of making the Bill a practical one, he moved this Amendment, because it was necessary that the Committee should act in this matter in the full light of day, and should know exactly with what tenants they were dealing. A great number of evictions had taken place since 1879, and

opinions differed largely as to the number. The right hon. Member for West Birmingham put the number at 30,000, and the evictions were going on even now under the rule of the Chief Secretary. The Chief Secretary said that the number was only about 3,900; but he should like to know where the right hon. Gentleman got that information? Some definite information was needed as to the number of tenants and as to what tenants were likely to apply. About 1,403 tenants on the Plan of Campaign estates had the opportunity of sending in their claims under the Mathew Commission, and there were 2,755 more. He proposed, therefore, that these men should be the tenants dealt with under the Bill, and this number was sufficient to occupy the whole time of the arbitrators. They were the most important class of tenants, and they were those in whom the Irish Members had taken most interest and knew most about. If they were the most dangerous tenants and those with whom they ought to deal first, then let them be put in the forefront. If any class of evicted tenants were to be singled out, surely it was those who had already sent in claims. Their number was quite as great as the arbitrators would be able to deal with in a single year, and for that reason he begged to move the Amendment.

Amendment proposed, in page 1, line 5, after the word "Ireland," to insert the words "situate on any estate mentioned in the First Schedule to this Act."—(*Mr. Hanbury.*)

Question proposed, "That those words be there inserted."

\*MR. T. W. RUSSELL remarked that it seemed to him that the Amendment hinged on the Schedule, and it was impossible for the Committee to discuss an Amendment which referred to the Schedule if they did not know what the Schedule was.

MR. HANBURY said, the Schedule had reference to the Plan of Campaign tenants, and was the Schedule of the Mathew Commission.

MR. J. MORLEY said, the hon. Member was wrong. The Schedule in question was not confined to Plan of Campaign estates, but included Lord Cloncurry's and another estate where evictions took place in 1882.

THE CHAIRMAN said, he had come to the conclusion that this method of moving the Amendment was a most inconvenient course to adopt.

MR. J. MORLEY said, that to show what mature consideration the hon. Member for Preston had given to this important matter of the Schedule he might mention that the hon. Member had simply taken the list given on page 10 of the Mathew Commission Report with the exception of the estate of the hon. Member for South Hunts. What weight could the Committee attach to an Amendment and a schedule defining the area over which the Bill was to extend when the schedule of the hon. Member was taken at random from the pages of that Report, and of which he knew so little as to say they were all Plan of Campaign estates, when there were two which were not Plan of Campaign estates on which evictions took place in 1882? He thought that he might be dispensed from the necessity of arguing upon a case presented to the Committee in that way. In selecting these estates the hon. Member was doing that which hon. Members who sat around him had declared they would not do—that was to say, give special favour to the Plan of Campaign tenants.

\*MR. T. W. RUSSELL said, if he was compelled to choose between the evictions that took place between 1879 and 1886, and those which took place after 1886 on the Plan of Campaign estates, he should vote for the former, and for this reason: If they were going to consider the question at all, there was something to be said against the evictions which took place after 1879 and up to 1882, for the House of Lords threw out the Compensation for Disturbance Bill, which might have saved these evictions. But when they came to consider the evictions which took place after 1886—that was the Plan of Campaign evictions, he was absolutely clear in his own mind that there was nothing to be said for them on the merits at all. What was the hon. Member for Preston doing? He was compelling them to elect between the evictions from 1879 to 1886, and from 1886 to 1890, and was asking them to deify the Plan of Campaign. He should have nothing to do with any such policy, and he could not conceive that it could receive any support from hon.

Gentlemen opposite who had declared over and over again that they would hold no terms whatever with the Plan of Campaigners. He considered the Amendment ought not to be persisted in.

MR. A. J. BALFOUR said, there was, undoubtedly, some force in the objection raised by the hon. Gentleman opposite that in extending this Amendment they were extending the favours of this Bill to a list which if it was not the same as the list of the Plan of Campaign estates, broadly speaking, coincided with it. He did not think that was what his hon. Friend intended by his Amendment. He said the speech of his hon. Friend who introduced the Amendment was largely based upon the very sound consideration that they ought to legislate for estates about which they knew something and for tenants as to whom they had made inquiry rather than for estates and tenants of which they knew nothing and as to whom there had been no inquiry. They had all felt that they were asked to legislate for all Ireland and for 15 years on a Report which did not deal with all Ireland and which only referred to four or five years. The Amendment exposed what was the real purpose of the Bill—namely, to give relief to the promoters and the victims of the Plan of Campaign, and it showed it in its true light as an expedient to relieve certain Irishmen of obligations which they had undertaken. Having served its purpose he would suggest to his hon. Friend that it would not be wise to insist on a Division. They had had a not uninteresting discussion and had practically gained their object.

MR. MAC NEILL: Yes, wasting time.

MR. A. J. BALFOUR said, the time had, in their opinion, been by no means wasted.

MR. CARSON said, he wished only to say a word or two on the point raised by the hon. Member as to why the estate of the hon. Member for South Hunts should be excluded from the operation of the Bill. The Mathew Commission actually found that the Plan of Campaign was started on that estate not because of anything that had occurred between the owner and his tenantry, but because the former had ventured to interfere in a dispute on a wholly different property. Surely it would not be suggested the



arbitrators were bound in a case like that to interfere in order to restore these tenants to their holdings.

Question put, and negatived.

MR. W. KENNY (Dublin, St. Stephen's Green) said, the object of the next Amendment which stood in his name was to give a specific and definite meaning to the word "holding" in the first sub-section. There was some discussion on the point in the course of the Debate on the Second Reading, and he hoped they would not now have addressed to them the argument already put forward by the Government that night, that they had no wish to specify any category. The 57th section of the Act, 1881, provided that a holding should mean a parcel of land, and his hon. Friend had pointed out that unless they had in this Bill some definition the word might be taken to include demesne lands and town parks, and would not necessarily be confined to agricultural or pastoral land. Surely the Government did not intend to bring such holdings as those within the purview of the Bill? He thought the Amendment was essential, and he hoped the Government would accept it.

Amendment proposed, in page 1, line 5, after the word "Ireland," to insert the words—

"to which before its determination The Land Law (Ireland) Act, 1881, as amended by The Land Law (Ireland) Act, 1887, applied or would have applied had such tenancy been existing at the passing of the said Act of 1881."  
—(Mr. W. Kenny.)

Question proposed, "That those words be there inserted."

MR. J. MORLEY said, he thought a very few sentences would suffice to describe the attitude of the Government towards the Amendment. They thought the proper place in which to settle the point would be in the Definition Clause. It was fair that they should be asked whether they did mean or not to retain the various categories of exclusion enumerated in the 58th section of the Act of 1881. They did propose to maintain those categories of exclusion, and he hoped this would be satisfactory to the hon. and learned Member.

MR. SEXTON said, that if the Amendment were inserted as it stood functions would be imposed on the

arbitrators which it would be impossible for them to discharge. Let them take the case of tenants evicted in 1879 or 1880. Surely the only thing to be done in that case was to enable them, in the first instance if they desired to have a fair rent fixed, to go before the regular tribunal.

MR. CARSON said, that he was perfectly satisfied with the undertaking of the right hon. Gentleman as he understood it—namely, that an Amendment would be inserted in the Definition Clause which would exclude from the operation of the Bill all tenants who could not have come into Court to have a fair rent fixed under the provisions of the Act of 1881 as amended by the Act of 1887. Therefore, no one would have a right to apply under this Act who held a purely pastoral farm, or any such holdings as were detailed in Section 58 of the Act referred to. If that were the meaning of the right hon. Gentleman he should advise the hon. and learned Gentleman opposite to withdraw his present Amendment.

MR. SEXTON said, he could not accept any such understanding, and he for one would not wish to be bound by it. He hoped that the right hon. Gentleman would not bind himself by any pledge that would exclude from the operation of the Bill the tenants who could not take advantage of the Act of 1881 because they were evicted before it was passed. If these tenants were entitled to have a fair rent fixed they could go before the Sub-Commissioners in the ordinary way.

MR. T. W. RUSSELL: But, supposing the Bill stands as it is framed and the tenant is admitted, the arbitrators would be forced to fix the rent.

MR. SEXTON: If the landlord agrees.

\*MR. T. W. RUSSELL pointed out that the Land Commission might subsequently decide that the particular tenant did not come within the operation of the Act of 1881, and the result would be, as he had gone back into possession, that it might be troublesome to get him out again.

MR. J. MORLEY said, that there ought to be no mistake upon this point. They intended that the holdings dealt with under the Bill should be those specified in the Act of 1881, agricultural and pastoral holdings, and they intended

to exclude from the operation of the Act those holdings which were precluded by Section 58 of the Act of 1881 from having a fair rent fixed. That was the policy of the Bill. Speaking broadly, the Government did not wish and had no intention of putting a reinstated tenant in a better position than he would have occupied if he had not been evicted. The desire and intention was to place him in the exact position he occupied before he was displaced, and no tenants who were excluded from the provisions of the Acts of 1881 and 1887 will come within the operation of this Bill.

MR. SEXTON asked as to the case of tenants from year to year evicted by the passing of the Act of 1881, and leaseholders evicted by the passing of the Act of 1887. Would they come within the purview of the Bill?

MR. J. MORLEY: I ought to have said the Land Act of 1881 and the Acts amending it.

MR. SEXTON hoped that the right hon. Gentleman's proposal would not have the effect of excluding from the Bill the tenants who ought to come within the provisions of the Act of 1881. The right of a tenant to come in ought not to be left to the decision of the arbitrators. Surely, before they finally determined so difficult and delicate a legal point, the tenants ought to have an opportunity of going before the Land Commission and getting a legal decision in the ordinary way.

MR. W. KENNY thought that the object of the Chief Secretary was to have clearly specified in the Act the class of tenants which would not come within its purview. As the right hon. Gentleman had given an undertaking to deal with the point in the Definition Clause, and had indicated that holdings mentioned in the 58th section of the Act of 1881 were to be excluded, he asked leave to withdraw the Amendment.

MR. J. MORLEY said, that he agreed with the hon. Member for North Kerry that the decision of the arbitrators as to the right of a tenant to come in under the Bill should not finally exclude the tenant from the Bill.

MR. A. J. BALFOUR thought that the hon. Member for Kerry had raised a very important question, which he trusted would receive due consideration when the subject again came on for dis-

cussion. There was an Amendment further down on the Paper which raised the same point, and he hoped it would have the support of the hon. Member.

MR. CLANCY said, he could not view with very much favour the suggestion of the Chief Secretary. He did not think there should be any such exclusion as the right hon. Gentleman had referred to. These tenants ought to be allowed to go before the arbitrators, and to apply also to the Land Commission to have a fair rent fixed.

MR. J. MORLEY: Unless he agrees with the landlord.

MR. CLANCY: Yes, but if he is not entitled under the Act of 1881, then you exclude him from the benefits of this Bill. I, for my part, cannot accept their absolute exclusion.

Amendment, by leave, withdrawn.

MR. BARTON, in the absence of the hon. Member for North Islington, moved an Amendment to exclude from the operation of the Bill all tenancies of holdings "upon which a judicial rent has not been fixed before the date of the determination thereof." These tenants who had had a presumably fair rent fixed, and had yet not paid their rent, would come back and say—"You must reinstate us, although you have fixed our rents as fair." He ventured to submit his Amendment on these grounds—namely, that the Bill should apply to the cases in which the Legislature had not come forward to help, and should not apply to the cases in which an actual fair rent had been fixed by Act of Parliament.

Amendment proposed, in page 1, line 5, after the word "Ireland," to insert the words

"upon which a judicial rent had not been fixed before the date of the determination thereof."—(Mr. Barton.)

Question proposed, "That those words be there inserted."

MR. J. MORLEY: The hon. and learned Gentleman forgets that the Relief Act of 1887 never dreamt of excluding tenants who had had judicial rents fixed. On the contrary, it was exactly those tenants who were entitled to the relief extended by the Act. There is another smaller point which I should like to take against the hon. and learned

Mr. J. Morley

**Member's Amendment.** There are, among those contemplated in this Bill, tenants who in the earlier stages of the Land Act of 1881 had rents fixed which are now admitted to be higher in their scale than they have been since. If we were to accept the Amendment these would be excluded.

**MR. A. J. BALFOUR:** The Act of 1887 did not apply the scale to a present rent fixed in Court, if my memory serves me rightly. It only dealt with rents fixed before a certain period; not, I think, up to the date of the passing of the Act.

**MR. SEXTON:** Very nearly. It applied to rents fixed from 1881 to 1886.

**MR. T. W. RUSSELL:** Up to the November gale of 1886.

**VISCOUNT CRANBORNE** did not think the argument of the Chief Secretary very conclusive. The tenants to be relieved under this Bill had a perfectly fair rent—[*Cries of "Oh!"*]*—*which they did not pay, otherwise they could not have been evicted. Tenants who had not had fair rents fixed might say their rents were too high, and, in that case, there was a case for giving them relief; but the tenants who had a fair rent fixed ought to have paid that fair rent, and ought to receive no relief. The Amendment was a very sound one, and ought to be supported by the House.

Question put, and negatived.

**MR. HANBURY** moved, in page 1, line 6, after "determined," to insert "once only." He said his motive for the Amendment was this: that in the course of the 15 years a tenancy might have been determined several times, and what, he asked, was to be done in that case? Was it to be left to the arbitrators to say which of four or five tenants was to have the best claim, or was it to be the last tenant? There was no provision in the Bill to meet such a case. It would be very hard on the tenant whose tenancy had last determined that he should be supplanted by a man who might have left that part of the country for four or five years. The right hon. Gentleman ought to have a definite rule on this point. Undoubtedly there had been such cases. He saw in the evidence of the Mathew Commission, on page 20, that the difference between the number of Plan of Campaign tenants

evicted and the number of evicted farms was accounted for by the fact that, in a number of cases, two evictions took place on the same farm.

Several Irish MEMBERS: Sub-tenants.

**MR. HANBURY** said, he did not care whether they were sub-tenants or not, but he did not think they were sub-tenants. The number of farms was 1,350, and the number of tenants evicted was 1,403. Sub-tenants were in a different column. Therefore, they might have 1,403 tenants applying for 1,350 farms, showing, on the face of the Return, 53 cases of double tenancy, and there was no mention of their being joint tenants. He thought they ought to have some information from the right hon. Gentleman as to how he intended to deal with cases of this kind.

Amendment proposed, in page 1, line 6, after the word "determined," to insert the words "once only."—(*Mr. Hanbury.*)

Question proposed, "That those words be there inserted."

**SIR R. T. REID** was of opinion that it might be left to the arbitrators to select the more meritorious cases.

**MR. A. J. BALFOUR:** According to the hon. and learned Gentleman, the man who has been evicted once is not so deserving of the sympathy of this House as the man who has been evicted twice, although the probability is that the man who had already been evicted twice, when compulsorily reinstated, will shortly require to be evicted again. Are we to be asked to pass another Bill for again reinstating him? I hope this arbitration Commission will not be particularly anxious to exercise their delicate functions in again putting on a farm a man who has twice shown himself incapable of working it at a profit. I leave that case which has so touched the sympathetic soul of the hon. and learned Gentleman, and I turn to the case where two men have been evicted from the same farm. The hon. and learned Gentleman thought these cases would give the Commission an opportunity of showing what excellent stuff it was made of. But how on earth are these three gentlemen going to decide? I have come to the conclusion that the only possible way of determining the merits of the rival claimants is to

consider who is the most dangerous—who is the greatest menace to the safety and the peace of the neighbourhood. That is the man entitled to consideration, or to be put back, and his more peaceable and quiescent rival has no chance in this struggle. I do not know that my hon. Friend has raised his Amendment in the very best way, but certainly the point he has raised is a substantial one.

MR. E. J. C. MORTON said, the case of the Bodyke tenants bore exactly on the point. They were evicted in 1887, because they simply could not pay their rents, and then a settlement was made with the landlord, by which they were to pay 33s. an acre rent, while on the adjoining estate of Lord Leconfield land of a precisely similar character was let for 11s. an acre. In the autumn of 1892 Colonel O'Callaghan sought to raise the rents from 33s. to 44s. an acre, and some of these tenants had been evicted since. No one who had the slightest knowledge of the facts could say that these Bodyke tenants were to blame for their eviction. He believed he was right in saying that the Plan of Campaign was never adopted on the Bodyke estate. Here was a set of tenants paying four times the value of the land as estimated by Lord Leconfield, and they had been twice evicted; and if the words of this Amendment were adopted they would not receive the benefit of the Bill.

Notice taken, that 40 Members were not present; Committee counted, and 40 Members being found present,

SIR R. TEMPLE (Surrey, Kingston) said, his reason for rising was that the hon. Member for Devonport (Mr. E. J. C. Morton) had attacked his hon. Friend the Member for Preston (Mr. Haubury), and it was desirable that the hon. Member should be answered by an English Member. The hon. Member for Devonport had adduced the case of Bodyke as one that would be very seriously affected by the Amendment.

MR. E. J. C. MORTON said, his point was that Bodyke was a place where the same set of people had been evicted twice over, and the second eviction could not have been investigated by the Mathew Commission.

SIR R. TEMPLE said, the reply was that it was impossible for Members to enter into the merits of this particular

case, or to accept it as being truly relevant to the question. The hon. Member seemed to consider that if a man had been evicted twice within the last few years his case was peculiarly hard.

MR. E. J. C. MORTON said, his argument was that the Amendment would exclude that case.

SIR R. TEMPLE said, the question whether a man who had been evicted twice within the last 15 years could be a fit object for the merciful arrangements contemplated by the Bill was one for the Committee to consider. He contended that he was not a fit object. Within that period of time there had been passed an Act for the reduction of rents, and then an Act for a revision of judicial rents. If there had been two evictions within the period there might, as his hon. Friend had pointed out, have been two claimants for the same farm. In such a case what in the world were the arbitrators to do? Were they to sit like King Solomon giving judgment between the rival mothers? If one man was comparatively deserving and the other was wholly undeserving they might have no difficulty, but this was not likely to be the case. The two men would probably be either equally deserving or equally undeserving, and the Commissioners would be unable to satisfy both. If it should be impossible for the arbitrators to arrive at a just decision it would be better to exclude the matter from their consideration altogether. Let them not be given jurisdiction in a class of cases where they could not exercise it satisfactorily. He desired to impress upon Her Majesty's Government that it was absolutely necessary, if they appointed arbitrators, that there should be some clear terms of reference in order that the arbitrators might understand the limits of their duties. It would not do to give them a roving commission over an unknown class of cases, without any instructions whatever and without any terms of reference being laid down. He earnestly hoped that the Government would give this matter their consideration before it was too late. If his hon. Friend went to a Division he would be glad to support him.

MR. ARNOLD-FORSTER said, he had some misapprehension as to the scope of the Amendment which had been

*Mr. A. J. Balfour*

moved. He took it, however, that it confined the cases to such as those referred to by the hon. Baronet who had just sat down—those of separate evictions on the same estate. He did not see why particular arrangements should be made in the case of persons who had been twice evicted from the same estate. What they had to consider was a matter which he did not think had been properly brought before the Committee. The question was, whether the arbitrators should be instructed how to proceed in dealing with the two cases of claimants for one farm? These were not hypothetical cases, they were actual cases, because they knew as a matter of fact that two men had frequently been evicted from the same holding within the period of 14 or 15 years which this Bill embraced. Hon. Members would remember that in order to give effect to the provisions of this Bill it was proposed to set aside the Statute of Limitations, and it was necessary that the arbitrators should have some definite instructions what they should do in the case of two rival tenants who had been evicted from the same farm. According to the Bill, the claimant had simply to give notice to the present occupier to determine the tenancy, and yet this man might have paid to the outgoing tenant a sum of money for his right to enter. Such payments had been made over and over again, even before the tenant had a tenant right in the estate to his improvements. The hon. Baronet who had last spoken had talked of the questions raised under the Bill as subjects for the wisdom of Solomon, but he would go further, and assert that this Bill would constitute a problem for Solomon. The question was, how were the arbitrators to decide between the two rival claimants? If they should determine to cut a holding in two and give one-half to each claimant, would they go further and cut the dwelling-house in two also? If they did not do so the Government would have substituted one grievance for another, and the tenant who was put in possession under the Bill would have an armed watch-dog to harass him. Then, in the case of two claimants to the title of an estate, suppose one should forego his right, what would the arbitrators do? He thought the only way in the case of two claimants would be to proceed by interpleader, so

that it might be determined which of them had the best claim. The Bill, however, contained no such provision, but left to the three arbitrators the power of dispensing justice like so many cadis sitting under a tree. He thought it was right that they should press the Amendment, inasmuch as they were asked to rely absolutely on the discretion of the arbitrators. It was impossible for them without some guidance to arrive at any certain line of conduct with regard to cases of this kind. The Government would be face to face with a vast amount of discontent if they allowed this ambiguity to remain on the face of the Bill. He considered that the Amendment was a perfectly reasonable proposal, and, as such, he was prepared to support it, and hoped it would be given effect to.

SIR R. TEMPLE asked for an answer to the question whether it would be possible for the arbitrators to divide the holding between two rival claimants who had both been evicted from the same holding since 1879?

MR. J. MORLEY said, that he took it that the arbitrators, if they became, as he hoped and assumed they would become, the tribunal for dealing with these matters, would have regard to all the equities of the case. He could not say anything more precise than that.

MR. BARTON said, he thought the right hon. Gentleman had given a very unsatisfactory reply to the hon. Baronet, and it showed the extraordinary upset which would be made in ordinary business. There were two cases, at least, which would have to come before the arbitrators. The Chief Secretary proposed to allow to be put in the claims of persons twice evicted from the same holding. The question arose whether those persons ought to be put back at all, having been twice evicted for non-payment of rent. Was it fair to assume that a man who had been twice evicted should be put back? Either he must be a very unlucky man or a "good-for-nothing." Then they came to the case of the two different tenants who might have held the same holding. The one might have held up to 1880, and the second tenant evicted might have held up to 1888. In the first case the man might have had a great deal of difficulty in paying his rent, but in the second case the tenant might



have had a better chance, because he had a more valuable consideration in his holding, having reaped the benefit of his predecessor. How was the case to be decided between these two? Were they to fight it out or to toss up? The Leader of the Opposition had suggested to the Government that probably the man who had taken the more active part in the Plan of Campaign would be the person most entitled to the farm. They had come to the conclusion that the mind of the Government was most unsettled with regard to their Bill. It was not too much to ask that these holdings should be excluded from the Bill. As to the second aspect of the case—that of a man who during fourteen years had been twice evicted—did the Chief Secretary not consider that it was impossible to reinstate him in that event? That was the question which they had to consider in connection with this Amendment.

MR. HANBURY said, the Committee had heard such a strange explanation from the Chief Secretary with regard to the course the arbitrators might take that he was the more inclined to press the Amendment. The question which had been put to the Chief Secretary was whether, in the case of two ex-tenants competing for a farm, it would be within the power of the arbitrators to divide it between them? Were they to understand from the answer of the Chief Secretary that that would be left to them? He contended that it should not be. Unless they received a more satisfactory answer he was afraid they would have to introduce other Amendments on the subject.

\*MR. T. W. RUSSELL said, he thought the Chief Secretary would do well to give his attention to this matter. His own view was that the fact of two tenants having been evicted from the same holding in fourteen years was a very good reason for reinstating neither. But that was not the point immediately before them. The Chief Secretary threw the responsibility of deciding back on the arbitrators as to which of the two tenants should go back. The Solicitor General and the Chief Secretary seemed to take the same view, that the arbitrators should decide the point. He knew of his own knowledge that there had been double evictions in

Ireland during the last fourteen years. The arbitrators would have to decide which of the two tenants evicted ought to be reinstated. This was not a matter which they should leave to the arbitrators alone; the House ought to give them some guidance as to which of the two men ought to be reinstated, if either ought, and he thought they would be shirking their own functions if they failed to give these instructions to the arbitrators.

MR. MACARTNEY said, they had been considering upstairs for some considerable time the manner in which the Land Acts had been carried out, and they had found that the great difficulty in giving effect to those Acts had been the fact that no directions had been given to the Sub-Commissioners as to how they should adjust the rents that came before them. Now the Government proposed to set up another tribunal, a semi-judicial tribunal, which would be more incapacitated than the one preceding it, to give full effect to the Land Acts which had been passed during the last 14 years. They should not leave these matters to the responsibility of the arbitrators. The Solicitor General said that in the case where a tenant had failed, the arbitrators would decide between the one who was industrious and the other who had been connected with the Plan of Campaign. He did not see how it was possible for the new tribunal to decide between the merits of the two. He was rather inclined to think that it would be very awkward for them if they decided against the tenant who had come out on the principle of the Plan of Campaign. The only way, as far as he could see, to solve the difficulty between the two rival tenants would be for the arbitrators to make a conditional order in favour of one tenant, and then that the other should take steps to have that conditional order set aside. The tribunal was to make a conditional order in favour of one or other of the applicants, but if the clause was left in the way the Chief Secretary proposed to leave it, it would be a direct incitement to a disappointed man to use every engine in his power to remove the successful man from the farm he thought he ought to have.

MR. W. KENNY thought this was a case in which they were entitled to get



an answer from the Government. Under every Amendment they were told they must not interfere with these vague and general powers conferred by this clause. The period that had been contemplated in this section of the Bill was the period of 15 years, and any tenant evicted within that period could apply to this Council to be reinstated. It was not impossible that they might have the case, contemplated by the Amendment, of two tenants having been evicted within the period where there was a *prima facie* case for reinstatement; in the district they might have all the circumstances that would justify a reinstatement; they might have it there were circumstances under which the eviction took place in each case, and if they had not got either of these they might have other general sweeping words contained in other sub-sections given to this tribunal of three to justify them. But how were they to come to a conclusion as between the two petitions? As to the notion of splitting up the holding between the two, he thought that was perfectly idle, but he maintained they were entitled to some answer as to which tenant was entitled to get the holding.

\*MR. HAYES FISHER said, the difficulty would arise in cases where there were two or more tenants who had been evicted between 1879 and 1894. Was he to understand that it was in the power of the arbitrators to decide whether the whole of the holding should be given to one tenant or whether it should be divided between two tenants; was that what the right hon. Gentleman meant? He could not help thinking that in any case they were placing both the arbitrators and the tenants in a very difficult position, and that both the Chief Secretary and the learned Solicitor General were playing into the hands of the lawyers, for it was to be in the discretion of the arbitrators to say which of two tenants, A evicted in 1879 or B evicted in 1884, should be entitled to petition and have a conditional order made. If the right hon. Gentleman did not say in his Bill which of the two should be entitled to the holding, it appeared to him (Mr. Fisher) that both of these tenants, or if there were three any one of them, would be able to bring an action in the ordinary course to have it declared which was the former tenant. This would result in a fruitful crop of litigation, very much to the

benefit of the lawyers, with whom, he was told, just now trade was somewhat bad. He would invite the right hon. Gentleman's attention to this, and ask him to say if he intended that the arbitrators should absolutely decide, without any power of appeal, as to whom was the former tenant? That would meet the difficulty, and though no doubt the tenant who failed to obtain the conditional order would feel aggrieved, it would stop him from bringing an action to establish what he might consider his right.

MR. BRODRICK hoped the Chief Secretary would finally settle which of the two tenants was to be entitled to the holding. It was absurd to suppose the arbitrators should decide to what extent a landlord was justified in evicting one tenant as compared with another. If they were to pass a general amnesty, he would point out that the landlord, who was the primary person interested, would have no appearance before these arbitrators at all; he would not be able to give any evidence, and he (Mr. Brodrick) wished to know whether this Star Chamber was to sit in secret and to decide without hearing the parties, at all events, without hearing the landlord, whether a tenant who might only have had the holding for a year was to have the preference over a tenant who might have held the holding for a generation? From what they had heard upstairs—to which he would only allude for the purpose of showing that half the difficulties they had to deal with there were due to the fact that no sort of guidance was given to the Commissioners how they were to set about their work—the Chief Secretary was throwing on the arbitrators a new duty, which none of them knew until this evening was thrown upon them; and from that it would seem that he had learned little from his experience in the Committee Room upstairs during the many days they had sat there. The right hon. Gentleman had undoubtedly learned one thing, that a majority was everything, and that with the force of a majority he could do what he chose. Perhaps the right hon. Gentleman would favour the Committee with some statistics as to the number of holdings upon which there had been two evictions since 1879? Without the Amendment he feared the Bill would only lead to future trouble in Ireland.

MR. HALDANE (Haddington) said, there was some misconception in the mind of the hon. Member opposite as to the extent of the powers which a Bill of this kind must confer upon the arbitrators. It was not the practice to fetter arbitrators in this country, or, so far as he knew in Ireland, with directions and restrictions on law. In this country, if they referred a matter to arbitration, they referred it even in a wider manner than to the Law Courts, because they made him absolute judge of the law, and no matter what mistake he might make so long as it did not appear on the face of the award—and he took care that it should not—there was no appeal.

MR. BRODRICK: Under what Act of Parliament?

MR. HALDANE said, that statutory arbitrations and all kinds of arbitrators were the same; after the reference to the arbitrator there was no appeal and no redress, and one did not wish, in a Bill of this kind, that it should be presented in a form that would make it difficult and obnoxious. The essence of the Bill was that they had chosen three men whom they were proposing to trust, and they had left to them a very large discretion as to the way in which they would carry it out. If that was so, he asked why should they withdraw from them the choice between two tenants? That seemed to him one of the very matters it was most important to leave to the discretion of these gentlemen; they would know the facts and would come to the matter with an unfettered discretion, looking into all the circumstances, so that they could do justice between man and man.

\*MR. BUCKNILL (Surrey, Epsom) said, that as he practised in the Common Law Division, he might say he knew something about arbitration cases, and it was absolutely incorrect to say that arbitrators were not fettered in this country. A person going to arbitration in this country under the Arbitration Act passed a few years ago was, as the learned Solicitor General knew perfectly well, entitled to ask of an arbitrator that he should state a special case for the consideration of the Court, and if the arbitrator was in danger of going wrong in law he might be taken to the Court on such a case; it was only on questions of fact, where he acted as a jury and took

evidence as a jurymen, that his decision was always held to be final. The hon. and learned Member shook his head, but would the hon. and learned Member look at the Act, because he (Mr. Bucknill) said fearlessly it was so, and he said it feelingly, because at the present moment, there was a case of his going to the Court of Queen's Bench, and he knew exactly the machinery by which it was done. It was stated the arbitrators were to have no greater power than arbitrators in any other branch of the law, but he affirmed, without fear of contradiction, that if the first clause was to stand as it did now as to their discretion, as to a *prima facie* case, without the Committee giving some instructions as to what the arbitrators were to do and what they were not to do, there would be nothing but confusion and enormous loss of time. Could there be any harm in the suggestion that they should let the arbitrators know if they were to deal with cases where there had been more than one eviction from one holding, and that they might or should direct in certain cases the holding was to be divided? He had heard within the last half-hour that those who lived in Ireland knew there might be two evictions upon one estate.

MR. T. W. RUSSELL: Upon one holding.

\*MR. BUCKNILL said, this was a matter which Englishmen as well as Irishmen had taken some trouble to try and settle. He had read through the Report of the Mathew Commission, and found there were many cases where there had been evictions and re-evictions on one holding. He had no wish to obstruct, and had not done so, but he did wish to take such a part in the matter, the Bill having passed the Second Reading, as should enable justice to be done to all parties.

MR. CARSON said, he only rose to make a few observations on this Amendment, for the reason that he happened to know of a particular case in which the exact point might arise. He knew of a holding from which a Plan of Campaign tenant was evicted, which was then taken by a so-called planter, and from which the planter had been evicted, and what he wished to know was, if the planter and the previous

tenant came before the arbitrators, who was to get the holding? Would the matter be decided according to who gave the most trouble in the neighbourhood, or who gave the most trouble at the eviction, because he saw no other alternative put forward in the Bill, and when they were laying down this matter it was worthy of consideration whether they should provide that the person first evicted or the person who was the second evicted should be entitled to this so-called equity to be restored to the holding? Every argument had been pressed upon the Front Bench opposite as to this question of discretion, and he supposed that before the Bill was over they would be saturated with the question of the discretion of these three gentlemen, though he was not so sure, when it came to be a question of deciding the description of what tenants fell within the 58th section, that the hon. Member for Kerry would be so well satisfied, and he would remind the Committee that when the hon. Member for Haddington (Mr. Haldane) and others talked about arbitrators, these gentlemen were not arbitrators at all. They could not make them arbitrators by calling them arbitrators, and they were really being set up as Judges with power to administer something quite different to any law that ever existed before in this country. These gentlemen were not to arbitrate as to legal rights but to establish legal rights, therefore how could they be arbitrators? As had been said before, they were nothing more than legalised confiscators, but whether they were arbitrators or not, why should not the arbitrary jurisdiction of these gentlemen be determined and guided by rules laid down by the House? He thought they should see what they were going to do by this Bill, and should lay down proper rules and regulations of procedure as had been done with respect to other Courts. He thought, however, it was time they brought this question as to the discretion of the arbitrators to an end.

Mr. J. MORLEY said, he quite agreed with the hon. and learned Member that it was time they brought this argument as to the discretion of the arbitrators to a close. The hon. and learned Gentleman talked as if there had

been no Land Act of 1881, for he said they must lay down rules for the guidance of the arbitrators. What was this Court, and the powers they were going to set up, compared with the Land Commission and the powers given to the Commissioners?

Mr. T. W. RUSSELL: Subject to appeal.

Mr. J. MORLEY said, they were subject to a kind of appeal. The intention of Parliament was perfectly distinct in the Act of 1881, and no one knew it better than the hon. Member who interrupted him; it was entirely distinct, and there were no guiding words, though their decisions were of a much more important description. With all respect to the hon. and learned Member, it was ridiculous to say they had no right to set up an Arbitration Board without giving rules for their guidance.

Mr. CARSON said, the powers of the Land Commissioners had reference to legal rights.

Mr. J. MORLEY: What legal rights? He did not understand what legal rights were at stake. When a couple of sub-Commissioners went on to a farm, and valued the rent, the discretion was in the value of the rent, and legal right had very little to do with it, and no one knew that better than the hon. and learned Gentleman. As to the particular Amendment before the Committee, he would take one case to show the weight of the argument now pressed upon the Committee. The hon. and learned Member for Armagh (Mr. Barton) said that a man who had been evicted twice must be a bad and worthless fellow. ["Hear, hear!"] Someone said "Hear, hear!" but he would put it in another way. If a man after being evicted was deliberately re-admitted by the landlord, surely that was rather an argument that he had not been a bad tenant. But this was a most trivial point, and they had no more to say upon this subject. He thought it was time the discussion should close, and if the hon. and learned Gentleman thought it right to take a Division on this not very substantial Amendment he hoped he would do so at once.

\*Mr. T. W. RUSSELL said, the right hon. Gentleman in his reply had

dealt with the case of a double eviction of the same people, and he admitted that he had dealt effectually with that, but the right hon. Gentleman had never once referred to the double eviction where the persons were different.

Mr. CLANCY rose in his place, and claimed to move, "That the Question be now put."

Question put, "That the Question be now put."

The Committee divided :—Ayes 162 ; Noes 94.—(Division List, No. 191.)

Question put accordingly, "That the words 'once only' be there inserted."

The Committee divided :—Ayes 107 ; Noes 183.—(Division List, No. 192.)

MR. BARTON moved, in page 1, line 6, after "determined," insert "by legal process by reason of the non-payment of rent thereof."

MR. T. M. HEALY rose to a point of Order. He submitted that the Amendment was exactly the same in effect as one which had been already passed over and which stood in the name of the hon. Member (Mr. W. Kenny.)

\*THE DEPUTY CHAIRMAN (Sir J. GOLDSMID): The Amendment is in Order.

MR. BARTON said, what they asked was that they should know who were the tenants and what were the evictions that this Bill were concerned in, and their contention was that they should be refused to cases of eviction for non-payment of rent. Supposing it happened that tenants had voluntarily surrendered their holdings to the landlord, and their tenancy had been determined. Without his Amendment these tenants would be able to come back under the Bill. Under the Land Act of 1881 tenants might be evicted for breach of statutory conditions, such as persistent waste by dilapidation of buildings. Such tenants, again, without his Amendment would be able to come in under the Bill, and would then get £50 to repair their dilapidated buildings. If a tenant had been evicted because he was bankrupt, or because he had opened a house for the sale of intoxicating liquors, or for a shop debt by a mortgagee, he would be able to apply to

the arbitrator and demand to be reinstated at the expense of the State. These cases would show that it was perfectly absurd to introduce a measure of this kind giving *carte blanche* to the arbitrators to reinstate when such absurd things took place. He was told there were cases of tenants whose tenancies were terminated by legal process and sale by the Sheriff, of public auction under a writ of *feri facias*, and that such cases ought to be included; and, although he thought they ought not to be, yet if the Government thought differently they could include them by special provision. The answer to all this was, "Trust the arbitrators," but, although one of them was his private friend, he would not trust that friend in a matter of property, while the proceedings of the arbitrators were subject to criticism from day to day in flaming articles in *The Freeman's Journal* every morning after every one of the day's proceedings, and it was not a fair argument to introduce. There was no man so angelic, no Christian gentleman so perfect that they were entitled to trust the property of others on the large discretion proposed to be given in these cases. The Member for Haddington came in like a Daniel come to judgment, and he claimed him for his side. He had said this was entirely misconceived, and that these were powers that all arbitrators had. He (Mr. Barton) would remind him that in the case of ordinary arbitrations it was one specific matter that was referred to them. But here they were to use their discretion in thousands of matters. They had referred to them the property of 3,700 people, and that was a very different thing. He thought there ought to be a right of appeal for the arbitrators. Under the 19th section of the Arbitration Act of 1889 an arbitrator might be required to state a case for the opinion of a Court on any question of law arising in course of the reference.

\*THE DEPUTY CHAIRMAN said, the hon. Member would see that he was now dealing with a question which hardly arose on the Amendment.

MR. BARTON said, that as he believed the only answer that could be given was that they must trust the arbitrators, he declined upon this great question of how many tenants were to be

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brought up in this Bill to agree to that argument, and he thought the least they could do was to not allow these unfortunate men to be led into temptation.

Amendment proposed, in page 1, line 6, after the word "determined," to insert the words "by legal process by reason of the non-payment of rent thereof."—(*Mr. Barton.*)

Question proposed, "That those words be there inserted."

**MR. T. M. HEALY** asked the Government before they replied to read the Rule against tedious and irrelevant repetition.

**SIR R. T. REID** said, whether it were relevant or not, the hon. Gentleman would be sure recollect that it had been pointed out that there were other reasons for which a man might have been evicted than failure to pay rent, and that there might be ways of determining a tenancy other than by eviction, and he thought he himself would see that it would be improper and really a waste of time on his part if he were to repeat a second time the arguments he submitted to the Committee some time ago.

**MR. WYNDHAM** (*Dover*) said, that they had a right to ask the Government why they were to give public funds at all if they objected to the words "for non-payment of rent." It was because the whole of their case rested on this, that a certain sentiment attached to the difficulties which had arisen in Ireland owing to the non-payment of rent. It was idle to ask the House to vote these large sums of money in order to rescue men who had lost their holdings from any other ground than these: that they had either been unable to pay their rent owing to hard circumstances in Ireland, or that they had been unwilling to pay their rent owing to political views which they did not share. These were the only possible grounds for exceptional legislation, and unless the Government would limit their Reference to these cases he did not think they could ask the House to vote that money.

**MR. ARNOLD-FORSTER** wished to point out that a person who had been turned out of his holding by judicial process had been to all intents and purposes evicted, and was exactly in the same position as an evicted tenant.

He thought they should be told whether there was to be this differentiation made in respect of tenants put out of their holdings, when the tenancy had been ended, either by the auctioneer or the instruction of the tenant to the landlord.

**SIR R. T. REID** explained that the Bill would only apply to cases where tenancies had been determined. Cases in which tenancies had only been transferred would be excluded.

**MR. CARSON** (*Dublin University*) said, the fact that his hon. and learned Friend would not argue the question was no reason why this Amendment should not be pressed. Those who supported its principles had a right to put their case before the Committee and the country. What he wanted to know was this: Was this Bill to apply to any persons besides those who had lost their holdings by process of law? Where the tenancy had been determined by the voluntary act of a tenant who found himself unable to pay his rent, would he have the right to appeal to this tribunal of confiscators to restore him to his holding? Then supposing a man had had a fair rent fixed subject to statutory conditions, and supposing he had been turned out of his holding for a breach of those conditions, was he to be allowed to make a claim under this measure? They ought to know clearly with what class of tenants they were dealing. If the matter was not cleared up landlords might be overwhelmed with costs incurred in resisting claims which ought never to have been made.

**MR. W. KENNY** (*Dublin, St. Stephen's Green*) wished to draw attention to the point which was raised by the Amendment which he had placed on the Paper. He contended that the only cases contemplated in the terms of Reference to the Mathew Commission were cases of tenants evicted for non-payment of rent. Supposing a predecessor of the man now in actual possession of a holding had had to purchase the farm, and had paid money for it, was it contemplated that the person who had been out of possession for 10 years, and the landlord had become the transferee, was to have the right to go back into possession? Was a trespasser to have the right to go to the landlord at the end of 10 years and say—You must reinstate me. If the



Bill was to apply to cases of the sort mentioned, this was not an Evicted Tenants Bill, but a Bill for the reinstatement of trespassers.

MR. A. J. BALFOUR (Manchester, E.): I do not rise to ask the Government to defend their Bill, because it is clear they do not mean to do so. I rise to ask them what they want to happen under the Bill. Now we know that, in the first place, they want to enable tenants who have been evicted for non-payment of rent to be reinstated. I can understand that, in addition, they may desire to reinstate a tenant who has not been evicted for non-payment, but who has been sold up for non-payment. If they want these two things, what more do they want? If the words in the second sub-section mean anything, they mean that those who drafted the Bill and are responsible for it had in their minds eviction, and eviction alone. Do the Government mean under the term "eviction" processes which are not commonly called eviction at all? Do they include such a case as that mentioned by my hon. and learned Friend? Do they include the case of the tenant who set up a public-house for the illicit sale of spirituous liquors and was evicted for that breach of statutory conditions? If they mean that, whatever be the circumstances, the reasons, or the conditions under which a tenancy has been determined, the tenant is to have the right to go back subject to the jurisdiction of the arbitrators, then we should know what they do mean, and I should admit that the clause carries out their meaning. But if, on the other hand, there are certain classes of reasons which in their judgment should exclude from the benefits of the Act, let them tell us so in plain words, even if they refuse to insert Amendments which would carry out their avowed meaning.

THE CHIEF SECRETARY FOR IRELAND (MR. J. MORLEY, Newcastle-upon-Tyne): The right hon. Gentleman taxes us with not wanting to defend our Bill. I will admit that we do not want to defend our Bill 20 times over on the same point. The hon. and learned Member for St. Stephen's Green has succeeded on this Amendment in getting off a speech which was suppressed by

a ruling of the Chairman on a previous Amendment.

\*THE DEPUTY CHAIRMAN: I think the right hon. Gentleman will see that as that Amendment was not moved it will not be in Order to refer to it.

MR. J. MORLEY: I quite concur in what you say, Sir, but the ruling of the Chairman was that the decision we had come to on an earlier Amendment had rendered the subsequent Amendment unnecessary.

\*THE DEPUTY CHAIRMAN: The Chairman and I conferred together about all these Amendments.

MR. J. MORLEY: The right hon. Gentleman who has just sat down talks about a public-house. He forgets we have already had that public-house. How many times are we to deal with that public-house? With every desire to answer all arguments brought forward and to meet all Amendments with which we may be confronted, I really cannot see that any new point whatever has been raised by this Amendment which was not met by my hon. and learned Friend at an earlier stage of the evening. I think I should be setting a very bad example, in view of the 270 or more Amendments already put down, if I were to reiterate arguments already put forward from this Bench.

MR. A. J. BALFOUR: I did not ask for arguments. I asked for a plain statement. I gave up the arguments—I could not get blood out of a stone. I could not wring from the Treasury Bench opposite a single argument, but I thought we might get an answer. I am not to be counted among the gentlemen who were said to be absent earlier in the evening. There is not a man in this House, outside the Government, who knows at this present moment whether they do or do not mean to include in the purview of their Bill classes of tenants who have been evicted for reasons other than non-payment of rent. If they do mean to include other classes of tenants let them tell us so. I venture to think that the Chief Secretary is not carrying out his object by not answering a plain and respectful question in as concise and brief terms as we demand.

THE SOLICITOR GENERAL (Sir R. T. REID, Dumfries, &c.): I will answer the question. The intention and

*Mr. W. Kenny*



purpose of the Bill is that it may, if the tribunal thinks fit, impress every case of a tenancy of a holding in Ireland which has been determined since May 1st, 1879. That is an explicit answer. I may add that I made that very statement in the opening sentences uttered by me on the first Amendment.

\*MR. T. W. RUSSELL (Tyrone, S.): The answer of the Solicitor General is certainly explicit. Now, after an hour's discussion, the Government come forward and tell us that they are prepared to leave to the discretion of the arbitrators cases of eviction which are not at all founded on non-payment of rent. That, Sir, is going altogether beyond the scope of the Bill, and until the Solicitor General had it dragged out of him there was not a man in the House who understood that the Bill covered any such proposal.

MR. J. LOWTHER (Kent, Thanet) said, that the announcement made by the Solicitor General raised a very important question. The proceedings were approaching the disorderly. The Bill was introduced to make provision for the restoration of evicted tenants to their holdings in Ireland, and now the hon. and learned Solicitor General had risen and told the Committee that the Bill was to go very much further. He was sure that the Chancellor of the Exchequer could hardly have had his attention drawn to this subject, and, now that the right hon. Gentleman was in his place, he desired to ask him how he intended to proceed. The House of Commons gave leave to introduce a Bill for a special purpose, which could not be exceeded or departed from except by the leave of the House being again obtained. He would ask the Chairman, as a point of Order, whether the intention and action of the Government in this matter were within the Orders of the House?

MR. T. M. HEALY (Louth, N.) said, there were 18 words to which the Tory Party had down 14 Amendments, and yet those words were the very words passed under Section 13 of the Act of 1891.

THE DEPUTY CHAIRMAN: I thought the hon. and learned Member rose to the point of Order. That must be first settled.

MR. J. CHAMBERLAIN (Birmingham, W.): I rise to the point of Order. This purports to be a Bill to facilitate and make provision for the restoration of evicted tenants to their holdings in Ireland. It is laid down in Sir Erskine May's book that a Bill must not go beyond the order of leave, and the order of leave follows the title of the Bill. In this case the order of leave was to introduce a Bill to facilitate and make provision for the restoration of evicted tenants to their holdings in Ireland. It is now evident, from the statement of the Solicitor General, that the Bill goes altogether beyond the title and the order of leave. But Sir Erskine May's book goes on to say that an objection of this kind, which would be fatal in the earlier stages of the Bill, would not be treated in exactly the same way after the House had passed the Second Reading. We are in the position of having passed the Second Reading of this Bill, and may, therefore, under Sir Erskine May's statement, be debarred from urging this irregularity. But in a note Sir Erskine May gives a case in which, after a Second Reading, notice was taken of an irregularity, it being stated that the irregularity was passed over by the House on the Second Reading, under a misapprehension as to what was included in the Bill. Now, Sir, I say that that is precisely the case now. It was absolutely impossible for anyone but a Member of the Government to know that a Bill for the restoration of evicted tenants to their holdings was going to include provision for the restoration of persons who were not tenants and who had not been evicted. I say that the point was not raised on the Second Reading, and it did not enter into the mind of any hon. Member of this House, and, therefore, it was undoubtedly a case of misapprehension. I think, Sir, you will find, on reference to Sir Erskine May's book, that on the occasion to which I refer the Bill was thereupon withdrawn. I do not know whether a new Bill was introduced, but at any rate the objection was allowed on the ground of misapprehension at the time when the Second Reading was taken and the Bill was withdrawn. I must say I think this perhaps in some sense a new point; but it is one of such enormous importance, both to the Government and

the procedure of the House, that I almost think the occasion is one on which to invite the opinion of Mr. Speaker.

**MR. T. M. HEALY :** On the point of Order I have to point out that these words we are now considering occur in a prior Act of Parliament. The title of the Act is "Purchase of Land (Ireland) Act, 1891," and the words are "An Act to provide further funds for the purchase of land in Ireland, to make permanent the Land Commission, and to provide for the improvement of the congested districts in Ireland." On a title of that kind it was considered relevant to introduce a clause affecting evicted tenants.

**THE DEPUTY CHAIRMAN :** It is clear that that case does not apply. Upon the other point it is obvious that if the House had been aware of the intentions of the Government on the Second Reading attention would have been called to the point by some hon. or right hon. Member, and then the ordinary process would have had to be followed which is well known to the House. But, as I understand it, from want of knowledge the Bill was read a second time containing a clause which is not entirely in accordance with the title of the Bill. Of course, if the Government think themselves bound by the information conveyed in the title, they will so alter the clause as to make it consistent with the title, but the thing has gone too far for me to decide now that they cannot proceed with the Bill.

**MR. A. J. BALFOUR :** I understand, Sir, you are of opinion that the matter has gone too far for you, as Chairman, to give a decision on the point. May I ask whether we can appeal to Mr. Speaker on a point which you have indicated that you are incompetent to deal with at the present time?

**THE DEPUTY CHAIRMAN :** I do not think the right hon. Gentleman has quite conveyed the opinion I expressed. I said that, of course, if the intention had been known on the Second Reading, then either a fresh Bill would have had to be drawn or this Bill would have had to be practically altered in Committee so as to make it correspond with the title. But attention was not called to the point, not through the fault of any hon. Member, but simply from want of knowledge. I said that if the Government thought it right the most regula-

course would be that they should withdraw those parts of the Bill which are not in accordance with the title, owing to the unfortunate circumstance that the House was not acquainted with the circumstances of the case on the Second Reading. But it was too late for me, as Chairman, to say that they cannot proceed with the clause in question on the ground that it is not consistent with the title of the Bill. I trust the Committee thoroughly understands the view I take. Of course, it is a responsibility for me to give a decision, but I believe that is the right decision to give.

**MR. J. CHAMBERLAIN :** I do not know whether, after your ruling, any Member of the Government would wish to make a statement on the present situation. It is evident that we have been led into an irregularity. I understand you to state that if this matter had come within the knowledge of the House it would have been within the power of any hon. Member to call attention to it, and that in that case an alteration must have been made. Unfortunately we were not in possession of this information, and therefore it was not open to any of us to call attention to the point at that time.

**\*THE DEPUTY CHAIRMAN :** I think the right hon. Gentleman did not quite catch what I said. In the ordinary course the Bill would have been withdrawn unless the Government were prepared to make the clause consistent with the title. If they wished to extend it they would have had to withdraw the Bill and bring in a fresh one.

**MR. J. CHAMBERLAIN :** I understood your statement to be to this effect: that if, at the proper time, notice had been called to this irregularity, one of two courses would have been taken: either the Bill would have had to be withdrawn or the Government would have had to alter it in accordance with the title. We have lost that opportunity owing to our ignorance of the intention of the Government with reference to this matter. I think, perhaps, the Government would desire to make some statement on the existing situation, and to say whether they are prepared to make an alteration. If they are prepared to recognise the fact that the House has proceeded under a misapprehension

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and to deal with the matter, I do not suppose the Committee would offer any objection. On the other hand, if they are not prepared to correct the misapprehension, I think the proper course will be, as you, Sir, have said that, as Chairman, you cannot rule further on the matter, to move to report Progress in order that Mr. Speaker may be appealed to.

**SIR W. HARCOURT :** I understand your ruling, Sir, to be that you have not power or disposition to stop the progress of the Bill to-night. We do not admit the question of misapprehension, and therefore, under the circumstances, there is nothing for the Committee to do but to go on with the Bill.

**MR. J. CHAMBERLAIN :** Then, Sir Julian Goldsmid, under these circumstances, I beg to move that you do now report Progress in order that we may have the advantage of Mr. Speaker's opinion upon the case which has arisen. Although the Government desire to proceed with the Bill, I cannot believe that they will in any way oppose this Motion, made with the direct purpose and intention of having the opinion of Mr. Speaker upon what is acknowledged to be a very important issue.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. J. Chamberlain.*)

**MR. T. M. HEALY :** I venture to say that in the whole course of the history of this House a grosser imposition was never perpetrated upon a Committee than the performance which we have just witnessed. Here is a Bill, as I understand, to restore evicted tenants in Ireland to their holdings. An hon. Gentleman says, "Oh, but its going to restore somebody else," and upon that the right hon. Member for West Birmingham (Mr. J. Chamberlain) gets up with a solemn face and says—"We have heard some extraordinary pieces of information, and therefore we must move to report Progress." We have on various Bills in this House witnessed some extraordinary performances, but certainly this is about the flimsiest proceeding we have ever witnessed from the other side. The title of the Bill is to restore the evicted tenants, and the Amendment is that only a certain

class of evicted tenants—namely, those evicted for non-payment of rent—shall be restored. The Government say that other evicted tenants—for instance, those whose farms have been sold—shall be restored, and upon that this mare's nest is discovered, and a Parliamentary crisis of the first magnitude is given birth to by the right hon. Member for West Birmingham. This Amendment has been debated all the evening long, and the words are taken from words passed three years ago on the proposition of the hon. Member for South Tyrone (Mr. T. W. Russell), and assented to by the then Chief Secretary for Ireland. Those words are that,

"Where a tenancy of a holding has been determined since the 1st of May, 1879"—

**\*THE DEPUTY CHAIRMAN :** Order, order! I should like to explain to the Committee that there is really no question to submit to Mr. Speaker even if the Debate were adjourned. The Speaker has no control over the proceedings of the Committee. I have decided that I have no right to stop the work of the Committee, because the question ought to have been raised on the Second Reading. Of course, the right hon. Gentleman has a perfect right to proceed with his Motion for reporting Progress, but not for the purpose of submitting the case to Mr. Speaker.

**MR. A. J. BALFOUR :** If the hon. and learned Member for Louth has finished his observations—which did not appear to me to be strictly relevant to the question—may I ask the Government to consider whether, now that it has been pointed out that they have been pressing their Bill under a misconception, and as they are asking to do by the first section of this clause something which is inconsistent both with the title and the second section, they will so modify the first section of this clause as to bring it into accord with the rest of the Bill?

**\*THE DEPUTY CHAIRMAN :** We had better dispose of the Motion one way or other first. Does the right hon. Gentleman (Mr. J. Chamberlain) persevere?

**MR. A. J. BALFOUR :** I suppose upon that Motion it is relevant for the Government to give us their observations on the situation? They have not yet condescended to do so.

**MR. J. MORLEY :** The Committee ought not to forget that the statement which has created what my hon. and learned Friend calls an extraordinary Parliamentary crisis—namely, the statement made by the Solicitor General—was made several hours ago. It was made before 8 o'clock.

**MR. CARSON (Dublin University) :** No, no.

**MR. J. MORLEY :** The hon. and learned Member for Dublin University may contradict me in that discourteous manner if he thinks fit, but the fact is that the statement of my hon. and learned Friend as to our intention in using the word "determined" in this clause was made three hours ago. That being the case, no new conditions have arisen. The right hon. Member for West Birmingham was perfectly aware of the construction which my hon. and learned Friend placed upon the words and the intentions of the Government. No change has taken place since then, and as the Chairman has ruled that the time has passed for the further consideration of the question, I hope that my right hon. Friend will, in view of the fact that all this was known three or four hours ago, withdraw his Motion.

**\*THE DEPUTY CHAIRMAN :** I should like to read the passage in Sir Erskine May's book on which I base my ruling, and which the Clerk has now found. It will be seen that it is as clear as possible. It runs as follows :—

"In preparing Bills care must be taken that they do not contain provisions which are not authorised by the order of leave, that the prefatory paragraph prefixed to the Bill which defines the object thereof, known as the title of the Bill, corresponds with the order of leave, and that the Bill itself is prepared pursuant to the order of leave and in proper form ; for, if it should appear that these rules have not been observed, the House will order it to be withdrawn. Such objections, however, should be taken before the Second Reading ; for it is not the practice to order Bills to be withdrawn after they are committed on account of any irregularity which can be cured while the Bill is in Committee or on recommitment. (Sir Erskine May's *Parliamentary Practice*, 10th edition, page 440.)

Consequently the point is perfectly plain.

**MR. A. J. BALFOUR :** May I, Sir Julian Goldsmid, ask you, on the point of Order, whether that rule does not carry with it the obligation on the part of the

Government either to withdraw the Bill or to cure the irregularity ?

**\*THE DEPUTY CHAIRMAN :** It may be cured by an amendment in the title, as well as in other ways.

**MR. J. CHAMBERLAIN :** I wish, in the first place, to take notice of what was said by my right hon. Friend the Chief Secretary. It is perfectly true my attention was called to this irregularity three hours ago, and I brought it on that occasion to the notice of the Chairman and the Government. I was met, Sir, with the reply you have given—namely, that the time to take that objection was before the Second Reading. You will allow, Sir, that to the statement which you have read there is appended a note to this effect—

"Objection being taken after Report"

that is, at a much later stage than now—

"and recommitment of the Income Tax and Inhabited House Duties Bill, 1871, that the Bill comprised provisions beyond the order of leave, and that the second reading had been agreed to under a misapprehension of its contents, the Bill was withdrawn."

That was the case on which I confessed I wished to have the decision of the Chair. I understand that you think, Sir, in your discretion, that, although in this case the provisions of the Bill are beyond the order of leave, and although the Second Reading has passed under a misapprehension of that fact, you are still not entitled to interfere. I accept your decision, and under these circumstances I shall beg leave to withdraw the Motion I have made, but I do, on sitting down, make a further appeal to the Government to reconsider their decision.

**\*THE DEPUTY CHAIRMAN :** The right hon. Gentleman had better withdraw the Motion first.

Motion, by leave, withdrawn.

Question again proposed, "That those words be there inserted."

**MR. J. CHAMBERLAIN :** On that Question I would make an appeal to the Government. We are indebted to the Chair for a very distinct statement—namely, that the Bill is irregular. We are not talking now about the rights or the position of the Chair ; but, as a matter of fact, the Bill is irregular, and goes beyond the order of leave. It was



in the power of the Opposition to prevent that, and that power was only not exercised owing to a misapprehension. I ask the Government—almost as a matter of honour, I was going to say; at any rate, as a matter of consideration to the Opposition—whether they do not think they ought to put the thing back into the position in which it would have been if there had been no misapprehension?

MR. J. MORLEY: My right hon. Friend has made a good many assumptions in his remarks. I am not sure that you, Sir Julian Goldsmid, did lay down, or, indeed—if I may say so with perfect respect—had the power to lay down, all those propositions which my right hon. Friend imputes to you. But you have said that if there has been an irregularity it may well be amended by some alteration in the title of the Bill. The Government will consider what weight there is in the various propositions which have been advanced in connection with this point, and if it should be found on consideration—which I am not at all prepared to assume—that some alteration in the title of the Bill is necessary, then, whether from the point of view of honour or of consideration for the Opposition, we shall be prepared to make an announcement to the Committee.

MR. J. LOWTHER (Kent, Thanet): I take it that one of two things—

\*THE DEPUTY CHAIRMAN: Order, order! I think that this question of Order has been sufficiently decided. The further discussion must be confined to the Amendment before the Committee.

MR. WYNDHAM (Dover) said, the Opposition were encouraged to again urge the Amendment on the House after what had taken place. It was no answer for the Government to say that they would make a change in the title of the Bill. The objection of the Opposition was not one of form but one of substance. The Bill as it stood not only did not agree with the title but disagreed with the policy of the Government, as enunciated on the First Reading and the Second Reading. The Government were endeavouring to ride off upon a mere question of law. There was some strangeness in the comparison made by the hon. and learned Member for Louth (Mr. T. M. Healy) between this Bill and the Purchase Act of 1891.

\*THE DEPUTY CHAIRMAN: I have decided that that has no reference to this question.

MR. J. LOWTHER said, the point before the Committee was whether by a further Amendment they could not bring the Bill into harmony with the order of leave. If the Amendment of his hon. Friend (Mr. Barton) were accepted, the most captious critic of the drafting of Bills could hardly say that it would not bring the clause into accordance with the order of leave. The Amendment would confine the operation of the Bill to cases where the tenants had been *bond fide* evicted on account of the non-payment of rent, and would enable the Government to get out of all their difficulties. He thought that on its merits the Amendment deserved very careful consideration on the part of the Committee. The Government did not propose to admit among those who were to receive the benefits of the Bill persons who might have received full value for their interest in the holdings from which they were evicted; the position indicated was not one which was contemplated by the House when leave was given to introduce the Bill, and therefore he hoped that the Amendment would be accepted.

MR. J. CHAMBERLAIN: We are reduced now to a consideration of the Amendment upon its merits, and I will ask the Committee to consider very carefully the position in which the Government is placed. I am merely going to speak in the interests of peace; but I must just make my case clear by referring to some of the examples of persons who are not evicted tenants in any ordinary acceptance of the term, but who, nevertheless, by the determination and decision of the Government are to be included within the operation of the Bill. I referred earlier in our discussion to the case of a tenant who had relinquished his tenancy, voluntarily surrendered his holding and had gone away, and yet coming back might seek to establish a claim under the Act to be reinstated in his holding, the holding he once occupied, but which, after all, would not be the same holding, because in the interval of ten or fifteen years past the condition of the holding may have been altogether altered. But the tenant may make the claim to be re-established at the old rate on the holding, though practically the

holding may not be the same thing. Again, there is the class of tenants who may have agreed to give up their holdings, their interests having been purchased, notwithstanding which they—possibly refusing to be bound by this or any other contract—have had to be evicted. These, under this new arrangement, would have the right to make claims for reinstatement, with all the rights for which they had received ample purchase value. Then there is a third class. The Act of 1881—I do not know whether the hon. and learned Member for Louth will call that Chamberlain's Act? He was good enough to attribute to me an Act of Parliament in which I had no responsibility or honour beyond the rest of my colleagues in the Government. He might as well call the Act of 1881 "Chamberlain's Act," as the Arrears Act. This, however, by the way.

MR. T. M. HEALY: Hear, hear!

MR. J. CHAMBERLAIN: Yes, I only answer by the way, for I do not consider it necessary to reply otherwise. The Act of 1881 contains a number of statutory conditions, the breach of which involves forfeiture of his holding by the tenant. Now, suppose a tenant has deliberately forfeited his rights by breach of statutory conditions proposed by my right hon. Friend the Member for Midlothian, and accepted by the House of Commons in 1881; of course, having forfeited his holding, he goes out, his tenancy is determined. Is he a man you are going to reinstate? Are you going to bring all these cases before your new tribunal, loading it with a number of fictitious claims? It seems to me the greatest absurdity in the world. Look at the injustice of this. Owing to any of these circumstances, let us suppose a tenant has ceased to be such, that his tenancy is determined, that the landlord has entered into possession and sold his land to somebody else, obtaining a higher price because of the full property in the land which he had to dispose of. Under ordinary circumstances, a landlord is only a partner in the proprietorship. He is only part owner, and can only dispose of his partnership rights. Let us suppose that a tenant has half the rights in the property, the landlord the other half; then if one partner sells his rights he, under ordinary circumstances, gets the value of half the ownership, but if the

rights of the tenant have been cleared out either by surrender, purchase, or forfeiture, owing to breach of statutory conditions, then the landlord would possess the whole rights. Very well. Now, suppose that the landlord has sold his rights to a second occupier, who has paid for the whole. Are you under this Bill going to allow any number of persons to raise claims arising over a period of 15 years against these new owners? I say it would be a monstrous injustice. That is not all. My right hon. Friend the Chief Secretary did not say a single word about these tenants either on the introduction of the Bill or the Second Reading. He laid before the House certain calculations, and on the introductory stage he expressed his opinion in regard to the sum he then had at his disposal, and again on the Second Reading in regard to the much larger sum at his disposal, which he said would be ample for the purposes intended. The sum may be ample—I do not contest that at the moment—to provide for the evicted tenants; but is it considered ample to provide for all these other tenants? Why, even the hon. and learned Member for Louth made an admission by way of answer to my hon. Friend near me. He said the sum of money was not large enough to permit the tribunal to deal with all the cases that might be brought before it, and apparently he thinks that this wonderful tribunal, with a discretion unknown to English law, is not only to look into the merits of all these cases, but is to have somehow or other and continually a view of the money behind it at its disposal, so that it may say, "Here is a case we should like to deal with, but if we do deal with it we, having only a total sum of £250,000 at our disposal, shall have so much less for other cases." Consequently, they are to exclude certain cases, not on the ground that there is no *prima facie* case, not only because of the circumstances of the eviction and the other matters detailed in the Bill, but because there are not sufficient funds to allow of such cases being dealt with. Now, I should like to ask my right hon. Friend, are those the "other circumstances" the tribunal must take into consideration? Why, Sir, up to the present time we have never been able to get from the Government Bench the slightest idea of what

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these other circumstances are. Now we know it is the limit of £250,000 which is a controlling circumstance, and upon that ground, I suppose, the tribunal is to decide whether or not a person making application is a proper person to be reinstated on a holding. Now, what is going to be the result of all this? The result of all this is we are to be engaged in discussing this point when hon. Members opposite, at whose dictation this Bill has been brought in—because anybody who believes that this is a Government Bill in the sense that the Government are going heartily with it must have an extraordinary amount of credulity—we are to be engaged in discussing this point in the Bill when hon. Members below the Gangway opposite say that none of these cases will be included by the tribunal. Well, then, why not exclude them by the Act? What is the good of leaving to the tribunal a discretion in a vast number of cases which hon. Gentlemen opposite themselves declare ought not to be included? There is, so far as I understand, general agreement on this point. Nobody will get up and say that cases such as we have put ought to be included in the reference to the tribunal; why on earth should the Government persist in their irregularity; why should they determine to refer these cases to the tribunal when they hold the opinion that no just or impartial tribunal could declare there was a *prima facie* case to proceed upon? I cannot conceive a more obstructive proceeding.

Question put.

The Committee divided:—Ayes 141; Noes 198.—(Division List, No. 193.)

MR. BARTON: I have submitted the terms of an Amendment which I propose to insert after the word "determined." I think it is very important that we should clearly understand those general propositions which have taken us so much by surprise. I propose, therefore, to insert after the word "determined" the words—"otherwise than by way of breach of statutory conditions." In other words I propose, if the Government will not consent to confine the cases under the Bill to those of eviction for non-payment of rent, to ask them to consent to exclude the cases of tenants

whose evictions have resulted from breach of statutory conditions. I will not repeat arguments used in support of the previous Amendment; but I will give one or two illustrations, and I ask the attention of the Chief Secretary to considerations that may affect his opinion of my proposal. I venture to say that tomorrow, when in Ireland it becomes known that the operation of the Bill may extend beyond those cases to which we have endeavoured to confine it, there will be alarm in the household of any tenant who has taken a farm from which a previous tenant has been evicted for breach of statutory conditions, and in the mind of every landlord who has resumed possession, for this reason: A feeling of uncertainty as to title will arise among the various persons in Ireland who under the operation of the law have entered into possession of land under circumstances to which nobody raised objection. The Chief Secretary, I am sure, will recognise this. Further, let me point out that nobody has ever found fault with these statutory conditions. During the inquiry upstairs by the Committee on the Land Acts I do not believe that any objection was urged, and neither in the amending Act of 1887 or in any of the Bills introduced by Irish Members has there been any attempt made to alter the law as to these statutory conditions. My present Amendment declares that if a man has been evicted from his holding for breach of the statutory conditions upon which he held his tenure under the Act of 1881 that that man shall not come under the operation of this Bill. I am quite sure the hon. and learned Member for Louth will find it difficult to question the reasonable character of this proposal. The hon. Member for South Tyrone will correct me if I am wrong, but I think I am within the fact when I say that no tenant has ever in any public way made objection to the law as regards breach of statutory conditions; it has always been recognised that these conditions are such as ought to apply to a holding, and that a tenant should be evicted for breach of them. During the past 11 years there have been many cases of eviction from this cause, but every man so evicted can make a claim under this Bill.

MR. T. M. HEALY: One of the statutory conditions is that a tenant shall

pay rent at the appointed times. Look at Section 5 of the Land Act.

MR. BARTON : I am not referring to that, the hon. and learned Gentleman knows very well what the statutory conditions are.

MR. T. M. HEALY : But there is your Amendment.

MR. BARTON : Breach of conditions is committed by dilapidation of buildings, deterioration of soil, refusal of the right of the landlord to enter, building a public-house on the land without consent of the landlord—these are examples of the conditions which this House has said should attach to the occupation of a farm, and which, if a man breaks, out he must go. No tenant has ever objected to accept the conditions, they are admitted to be fair, and yet a man evicted for breach of these will, under this Bill, have a claim to be brought back. I can tell the Chief Secretary that this will come with the utmost surprise upon the great body of tenants in Ireland who neither wish or expect anything of the kind, it will disturb titles and add to existing land difficulties.

Amendment proposed, in page 1, line 6, after the word "determined," to insert the words "otherwise than by way of breach of statutory conditions."—(*Mr. Barton.*)

Question proposed, "That those words be there inserted."

MR. T. M. HEALY : I rise to a point of Order. The Committee have already negatived a proposition in respect to non-payment of rent in the last Amendment. In Section 5 of the Act of 1881, which defines the statutory conditions, the very first condition is that the tenant shall pay rent at the appointed time; accordingly, it appears to me that we have already dealt with the Amendment of the hon. Member.

\*THE CHAIRMAN (MR. MELLOR) : Then, on that particular point, the Amendment is out of Order; that is to say, if the payment of rent is included among the statutory conditions. I was not aware of that, but if that is so then the point upon which the Committee have already come to a decision must not again be included in the Amendment.

MR. BARTON : Then, Sir, I propose to amend my Amendment so that it shall

*Mr. T. M. Healy*

read—"otherwise than for breach of statutory conditions 2, 3, 4, 5, and 6."

MR. J. MORLEY : On a point of Order, Sir, may I ask, is the hon. and learned Member allowed to move an Amendment to an Amendment which has not been dealt with?

\*THE CHAIRMAN : The Amendment is out of Order; but the hon. Member is entitled to move it in its altered form.

Amendment proposed to the proposed Amendment, after the word "conditions," to insert "2 to 6."—(*Mr. Barton.*)

Question proposed, "That those words be there inserted in the proposed Amendment."

\*MR. T. W. RUSSELL : I am going to make an appeal which I do not expect the Government will be able to resist. One of the statutory conditions is that a public-house shall not be opened on the property without the consent of the landlord. You assume that a man has done this and has been evicted for this breach of the conditions. The leader of the Temperance Party is not here, but I appeal to the Chancellor of the Exchequer. He has had to drop the Veto Bill, but if he will not give us anything by way of restriction on the opening of public-houses, surely he will not be a party to forcing back into possession a man who was put out—because he opened a public-house in defiance of an express obligation against such conduct? That would be a very anomalous proceeding on the part of an advocate of the Temperance movement. I thought the Chancellor of the Exchequer "had nailed his colours to the mast." The hon. Baronet the Member for Cokerimouth is not here, but here is another leader of the Temperance movement in the hon. Member for North Monaghan (Mr. Diamond), who is heard on Temperance platforms all over England.

Mr. T. M. HEALY rose in his place, and claimed to move, "That the Question be now put;" but the Chairman withheld his assent, and declined then to put that Question.

Debate resumed.

MR. T. W. RUSSELL : Here now is the perfectly plain question I will put to the Chancellor of the Exchequer. This is one of the statutory conditions laid down in an Act of Parliament in 1881,

passed by a Government of which he was a Member, and suppose this statutory condition broken, does the Chancellor of the Exchequer or the House of Commons mean to say that a man who broke this statutory condition is to be forced back—

It being Midnight, the Chairman left the Chair to make his report to the House.

Committee report Progress; to sit again To-morrow.

EVICTED TENANTS (IRELAND) ARBITRATION [GUARANTEE AND EXPENSES].

COMMITTEE.

Considered in Committee.

(In the Committee.)

Motion made, and Question proposed,

"That it is expedient to authorise the Treasury to guarantee advances, not exceeding £250,000, charged on the Irish Church Temporalities Fund, in pursuance of any Act of the present Session to make provision for the restoration of Evicted Tenants in Ireland, and to charge the sums required to meet such guarantee on the Consolidated Fund of the United Kingdom :

And to authorise the payment, out of moneys to be provided by Parliament, of any salaries, remuneration, and expenses which may become payable under the said Act."—(*Sir J. T. Hibbert*.)

\***MR. T. W. RUSSELL**: I beg to move that Progress be reported, on the ground that we really do not know what the Evicted Tenants Bill proposes to do.

Motion made, and Question, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. T. W. Russell*),—put, and agreed to.

Committee report Progress; to sit again To-morrow.

PRIZE COURTS BILL [*Lords*].—(No. 311.)

SECOND READING.

Order for Second Reading read.

Objection being taken,

**THE UNDER SECRETARY OF STATE FOR THE COLONIES** (*Mr. S. Buxton, Tower Hamlets, Poplar*): I hope this Bill may be allowed to go through. It has the assent of both Parties; it was drawn up by a previous Secretary of State, and is adopted by the present Secretary of State, and I believe there is no objection to it.

**VISCOUNT CRANBORNE** (*Rochester*): I am sorry to have to object, but I

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do so as a protest against the conduct of the Government to-night.

**THE SOLICITOR GENERAL** (*Sir R. T. Reid, Dumfries, &c.*): Perhaps a brief explanation may remove the noble Lord's objection. Prize Courts are necessary in a state of war, and they are established in the colonies now by Commission of Her Majesty when war is declared. The only object of the Bill is this: as you send Commission by telegraph to naval officers to commence operations, so it is desirable in the same way to have Prize Courts ready to proceed.

Further Objection being taken, Second Reading deferred till To-morrow.

HERITABLE SECURITIES (SCOTLAND)

(*re-committed*) BILL.—(No. 316.)

COMMITTEE. [*Progress, 23rd July.*]

Bill considered in Committee.

(In the Committee.)

Clause 1.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Banbury*.)

**MR. CALDWELL** (*Lanark, Mid*): This is a Bill which has the unanimous assent of Law Officers on both sides, and has the approval of all Scottish Members. It was introduced by a Unionist Member, on whose behalf I now move it. The only objection comes from an English Member, who has no interest in it whatever. The Bill has the unanimous assent of the Scottish people, and I only say that the action now taken will further increase the desire for Home Rule in Scotland, for it will show the people how impossible it is to pass unopposed Bills through this House. I shall set it down for to-morrow, and day by day I shall move to proceed with it, thus calling the attention of the people of Scotland to the matter.

Motion agreed to.

Committee report Progress; to sit again To-morrow.

CANAL TOLLS AND CHARGES PROVISIONAL ORDER (No. 1) (CANALS OF GREAT NORTHERN AND OTHER RAILWAY COMPANIES) BILL.—(No. 178.)

As amended, considered; to be read the third time To-morrow.

CANAL RATES, TOLLS, AND CHARGES  
PROVISIONAL ORDER (No. 2.) (BRIDGE-  
WATER, &c. CANALS) BILL.—(No. 198.)

As amended, considered; to be read  
the third time To-morrow.

CANAL TOLLS AND CHARGES PROVI-  
SIONAL ORDER (No. 3) (ABERDARE,  
&c. CANALS) BILL.—(No. 215.)

As amended, considered; to be read  
the third time To-morrow.

CANAL TOLLS AND CHARGES PROVI-  
SIONAL ORDER (No. 5) (REGENT'S  
CANAL) BILL.—(No. 253.)

As amended, considered; to be read  
the third time To-morrow.

CANAL TOLLS AND CHARGES PROVI-  
SIONAL ORDER (No. 7) (RIVER AN-  
CHOLME, &c.) BILL.—(No. 263.)

As amended, considered; to be read  
the third time To-morrow.

CANAL TOLLS AND CHARGES PROVI-  
SIONAL ORDER (No. 8) (RIVER CAM,  
&c.) BILL.—(No. 264.)

As amended, considered; to be read  
the third time To-morrow.

CANAL TOLLS AND CHARGES PROVI-  
SIONAL ORDER (No. 10) (CANALS OF  
THE CALEDONIAN AND NORTH  
BRITISH RAILWAY COMPANIES)  
BILL.—(No. 266.)

As amended, considered: to be read  
the third time To-morrow.

CANAL RATES, TOLLS, AND CHARGES  
PROVISIONAL ORDER (No. 12)  
(GRAND, &c. CANALS) BILL.—(No. 268.)

As amended, considered; to be read  
the third time To-morrow.

#### MESSAGE FROM THE LORDS.

That they have passed a Bill intituled,  
"An Act to further amend The Indus-  
trial Schools Act, 1866." [Industrial  
Schools Bill [*Lords*].]

#### INDUSTRIAL SCHOOLS BILL [H.L.].

Read the first time; to be read a  
second time upon Monday next, and to  
be printed. [Bill 335.]

#### CONSOLIDATED FUND (No. 3) BILL.

Read a second time, and committed  
for To-morrow.

MARKET GARDENERS' COMPENSATION  
BILL.—(No. 305.)

Order for Consideration, as amended  
by the Standing Committee, read, and  
discharged.

Bill withdrawn.

HERITABLE SECURITIES (SCOTLAND)  
(*re-committed*) BILL.—(No. 316.)

Considered in Committee; Committee  
report Progress; to sit again To-morrow.

FEUS AND BUILDING LEASES  
(SCOTLAND).

Report from the Select Committee,  
with Minutes of Evidence and Appendix,  
brought up, and read.

Report to lie upon the Table, and to  
be printed. [No. 238.]

#### SELECT COMMITTEES.

Return ordered, "of the number of Select  
Committees appointed in the Session of 1894, in-  
cluding the Standing Committees and the Court  
of Referees; the subjects of inquiry; the names  
of the Members appointed to serve on each and  
the Chairman of each; the number of days each  
Committee met, and the number of days each  
Member attended; the total expense of the at-  
tendance of Witnesses at each Select Committee,  
and the name of the Member who moved for  
such Select Committee; also the total number  
of Members who served on Select Committees  
(in the same form as, and in continuation of,  
Parliamentary Paper, No. 0.175, of Session  
1893-4)."—(*Mr. J. E. Ellis*.)

#### ADJOURNMENT MOTIONS UNDER STAND- ING ORDER 17.

Return ordered, "of Motions for Adjourn-  
ment under Standing Order No. 17, showing  
the date of such Motion, the name of the Mem-  
ber proposing the definite matter of urgent  
public importance, and the result of any divi-  
sion taken thereon in the Session 1894 (in the  
same form as, and in continuation of, Parlia-  
mentary Paper, No. 99, of Session 1894)."—(*Mr.  
J. E. Ellis*.)

#### CLOSURE OF DEBATE (STANDING ORDER 25).

Return ordered, "respecting application of  
Standing Order No. 25 (Closure of Debate) during  
Session 1894 (in the same form as, and in con-  
tinuation of, Parliamentary Paper, No. 57, of  
Session 1894)."—(*Mr. J. E. Ellis*.)

House adjourned at ten minutes  
after Twelve o'clock.

## HOUSE OF LORDS,

*Friday, 27th July 1894.*

## FINANCE BILL.—(No. 168.)

## COMMITTEE.

House in Committee (according to Order).

**THE DUKE OF RUTLAND:** My Lords, before this Motion is agreed to I wish to call your Lordships' attention to a statement which I understood was made by the noble and learned Lord on the Woolsack yesterday evening. I understood the noble and learned Lord to say—perhaps I was wrong—that it was obvious your Lordships had no right to interfere with or to amend a Money Bill, inasmuch as a case had been decided in reference to the powers of a Second Chamber in one of the colonies. It strikes me that any Court of Law which should presume to lay down what are the privileges and what are not the privileges of your Lordships' House with regard to Money Bills would be incurring a very great responsibility, and a responsibility, as far as I know, never yet assumed by any Court of Justice in this Kingdom. I trust, therefore, that either I misunderstood the noble and learned Lord, or that his memory was not quite accurate in supposing that the privileges of your Lordships' House could be controlled or determined by the decision of any Court of Justice in this Kingdom.

**THE LORD CHANCELLOR (Lord HERSHELL):** My Lords, the decision or expression of opinion by the Privy Council to which the noble Duke has referred is not one which could bind anyone with reference to the rights, whatever they may be, of your Lordships' House, nor did it purport so to do. It was upon a point on which Her Majesty had to be advised by the Privy Council, and it became necessary to determine what, in the view of the Judicial Committee, in a case from one of the Australian Colonies, were the constitutional rights of the Upper Chamber in the colony. A question arose whether it was within the province of the Upper Chamber there to amend a Money Bill.

That depended upon the opinion of the Judicial Committee as to whether it was within the constitutional right of this House to do so. Inasmuch as they came to the conclusion that the two Houses in the colony were in the same position as the two Houses here, it became absolutely necessary to form an opinion upon that point for the purpose of the decision. Their opinion was that it was not within the constitutional right of this House, and, therefore, not within the constitutional right of the Upper Chamber of the colony, to amend a Money Bill, the Upper Chamber, as I have said, being intended to bear the same relation to the Lower Chamber as the House of Lords does to the House of Commons. Of course, it was the province of the Privy Council to give an answer to the question by expressing that opinion; but that decision is not binding in any way upon this House, which is as free to act within its rights as before. I only cite the case as a conclusion come to after consideration by high judicial personages in a non-political matter. That was their decision; it may be right or it may be wrong; but whether right or wrong, it, of course, does not bind this House in the slightest degree.

Bill reported without amendment; Standing Committee negatived; and Bill to be read 3<sup>a</sup> on Monday next.

## LICENSING BILL.

## BILL PRESENTED.

\***LORD NORTON** drew the attention of the House to the existing law with regard to the forfeiture of licences to sell spirituous liquors; and presented an amending Bill. He said, the Bill was on a subject which had been on many occasions mooted in the House—the excess of licences to public-houses. He only proposed to ask for a First Reading, as it would be useless to expect to pass the Bill this Session through Parliament. A useful purpose would, however, be served by its being discussed during the Recess with a view to legislation next Session. Nobody would dispute that the number of public-houses was excessive throughout the Kingdom. Temptation was thereby offered for drunkenness, and a vicious competition resulted, leading to adulteration of the drink sold to the

public. The cause of the excess was that licences had been granted arbitrarily upon no principle, and without any self-acting control of the relation between supply and demand. The Bills which had been presented on the subject were faulty in that respect, and, therefore, did not deal with the cause of the mischief. Two of them had emanated from the Episcopal Bench, greatly to its credit. The Bishop of London's Bill proposed to suppress arbitrarily the excess of licences by a reduction of one-fifth, with an assumed proportion of population in each locality, and that the owners of the suppressed houses should be compensated by those remaining unsuppressed. That principle your Lordships decided could not be admitted. The Bishop of Chester's Bill was based on the Gothenburg plan of Government supervision over the sale of spirituous liquors—the sale being undertaken by the Government itself. Their Lordships again decided against that proposal, considering that such a plan would be wholly unsuited to this country. In fact, its success was much disputed even in Norway, and there was very little encouragement for its adoption elsewhere. The Government had proposed a plan of Local Option, for which principle they seemed to have a great predilection as a general panacea for all evils, though it was difficult to imagine anything more likely to result than a battle royal over the question which houses were to be suppressed and which were not. This Bill which he was asking their Lordships to read a first time simply proposed that the existing law with regard to forfeiting licences persistently abused should be more fairly carried out. It sought to make effective the only true check to excess of licensed public houses—which was the existing law—that repeated convictions of abuses should forfeit the licence to sell, and disqualify the premises so abused. Why was not the existing law carried out? Simply because the Magistrates refrained from inflicting the penalty when telling severely on often very costly premises which they had licensed. The Bill he was submitting to the House would remove that scruple and mitigating severity. It gave an alternative to absolute disqualification, by way of a fine, not exceeding £100, and

*Lord Norton*

taking sureties for better conduct in future. The rich owners of tied houses would feel this a moderate penalty for their employment of persistently offending servants, and they would easily be able to give surety for better service. Some of the lowest pothouses, making a wretched trade out of great national mischief, would rightly succumb, being unable to pay even a moderate fine, or find sureties for better conduct. In that way, and in that way only, an illegitimate supply would be suppressed, without any claim for compensation. The proposed fine was not to exceed £100, leaving it to be proportioned to the gravity of the conviction. The Bishop of London heartily agreed to support the Bill, and he asked that their Lordships should allow it to be read a first time in order that it might be discussed throughout the country during the Recess, and, subject to the views which might be expressed, introduced early next Session.

Bill to amend the Licensing Act, 1872  
—Was presented by *The Lord Norton*.

THE LORD CHANCELLOR: My Lords, the subject to which the noble Lord has called attention is admitted by all to be of great importance. There can be no doubt that any suggestion which would secure that licensed houses should be better kept, and that more strenuous efforts should be made to prevent drunkenness and breaches of the law certainly well deserve attention and support. Personally, I cannot help thinking that there has not been sufficient use—not the use which the Legislature intended—of the power of endorsing licences in cases where there have been convictions and consequent disqualification of the holders of the licences. There has been, I think, too great a tendency to renew the licences of houses that have been ill-conducted. That arises from the very natural indisposition of any tribunal to be seemingly too hard. Magistrates do not like to endorse a licence from a feeling, which it is impossible not to respect, that the result of so doing may be to deprive a person whose licence is endorsed of the opportunity of earning his livelihood. But I fear that the interest which the public have in securing that a licensed house is properly conducted has been



somewhat kept out of view in extending this consideration to the licence-holder. There is a further evil which has become intensified of late years. In former times the licence-holder was the owner of the public-house, and there was in that fact a great security that the house would be properly conducted. But now these houses are largely managed by mere servants, who have not the strong inducement of personal interest to keep them within the law. And, when an offence is committed, the tendency is not to refuse a renewal of the licence, on the ground that it is hard that the brewer who owns the house should have his property reduced in value owing to the irregularities or misconduct of a manager or servant. The result must be, and has been, that the public have not the same security now for the proper conduct of the house that existed formerly. Therefore, I think any measure that will have the result of more strenuously enforcing the law, and making the owners of public-houses feel that the proper conduct of the house by their servants or managers is quite as important in their interest as if they were carrying on the business themselves, would be a very desirable amendment of the law. Without expressing any opinion on the proposals of the Bill, I am heartily in sympathy with the object which the noble Lord has in view.

Bill read 1<sup>st</sup>; and to be printed. (No. 181.)

CHIMNEY SWEEPERS BILL.—(No. 132.)  
COMMITTEE.

House in Committee (according to Order).

Clause 1.

THE EARL OF CAMPERDOWN asked the noble Lord in charge of the Bill whether it was intended altogether to prevent chimney sweepers from giving their well-known cry in the streets in pursuit of their calling, as they were not prohibited from making themselves heard when they reached houses to which they had been summoned. Was the prohibition directed against their soliciting employment?

THE EARL OF DUNRAVEN said, the wording of the clause explained its objects. Sweepers were not to use noisy

instruments to the annoyance of the public, or to cause anyone else to do the said acts.

THE EARL OF CAMPERDOWN said, with regard to "ringing a bell," he had heard that done by *nuftin-men*, but never by sweeps. They appeared, at any rate, to be prohibited from shouting in the streets.

THE EARL OF DUNRAVEN said, the clause meant that they were not to ring door bells to the annoyance of the inhabitants of houses.

Clause agreed to.

Clause 2.

THE EARL OF DUNRAVEN moved to leave out, in line 16, all the words after "issue," to the end of the clause. It was a drafting Amendment rendered necessary by what had been done in the other House.

Amendment moved, in line 16, to leave out all the words after "issue," to the end of the clause.—(*The Earl of Dunraven.*)

LORD ASHBOURNE asked what would be the result of leaving out the words as regarded Ireland? There was no provision for that.

THE EARL OF DUNRAVEN said, the words might be found to be unnecessary.

LORD MONKSWELL said, the state of the case was that it was not intended that the law should be interfered with, and it was undesirable to use words in the Bill which would lead to the supposition that the law was altered.

Amendment negatived.

Remaining clauses agreed to.

Bill re-committed to the Standing Committee; and to be printed as amended. (No. 182.)

NAUTICAL ASSESSORS (SCOTLAND)  
BILL.—(No. 179.)

SECOND READING.

Order of the Day for the Second Reading, read.

THE LORD PRIVY SEAL (Lord Tweedmouth) said, the object of this Bill was to extend to the Scotch Courts the same advantages which English Courts already possessed of having nautical

assessors to advise them in maritime cases. The Bill had been submitted to the noble and learned Lord on the Woolsack, and had his approval. It would be of great advantage to the Scotch Courts to have this privilege.

Moved, "That the Bill be now read 2<sup>a</sup>."  
—(*The Lord Tweedmouth*.)

Motion agreed to ; Bill read 2<sup>a</sup> accordingly, and committed to a Committee of the Whole House on Monday next.

**PUBLIC LIBRARIES (IRELAND) ACTS  
AMENDMENT BILL.—(No. 180.)**

**SECOND READING.**

Order of the Day for the Second Reading, read.

LORD TWEEDMOUTH said, he moved the Second Reading of this Bill in no official capacity, but simply at the request of Members of the other House who had promoted it there. Its object was to extend to Irish towns and townships having Commissioners the same privilege of establishing public libraries as was enjoyed in England. By the Act of 1885 applying to public libraries in Ireland, the limit of population in towns to which the Act applied was 5,000. This Bill would enable 118 towns instead of 46 to have public libraries. Its provisions differed in no way from those at present in force in England except that an alternative was given to the Urban Authorities of bringing the Act into force, and a petition of 10 ratepayers would enable the Commissioners to take a poll of the inhabitants. In the other House the Bill was referred to a Select Committee, by whom it was carefully considered. It was approved by the Irish Office, and was backed by the names of Members representing such various sections of the House of Commons as Mr. Field, Mr. Carson, Mr. J. Redmond, Sir Thomas Esmonde, Mr. W. Johnston, Sir J. Lubbock, and Mr. Arthur O'Connor.

Moved, "That the Bill be now read 2<sup>a</sup>."  
(*The Lord Tweedmouth*.)

LORD ASHBOURNE said, in face of the startling list of names given by the noble Lord, it would require a very daring man to get up in their Lordships' House and oppose the Second Reading of a Bill so backed. He certainly was

*Lord Tweedmouth*

not that man. An Irishman himself he fully recognised the significance of the union of names sometimes strongly opposed. The Bill had been introduced lately, and he had not yet been able to give it more than a cursory reading ; but he hoped to read it in more detail later on, and trusted it would pass their Lordships' House without the enunciation of any serious difficulty.

Motion agreed to ; Bill read 2<sup>a</sup> accordingly, and committed to a Committee of the Whole House on Monday next.

**LOCAL GOVERNMENT PROVISIONAL  
ORDERS (No. 15) BILL.—(No. 126.)**

Read 3<sup>a</sup> (according to Order), with the Amendment, and passed, and returned to the Commons.

**STATUTE LAW REVISION BILLS AND  
CONSOLIDATION BILLS.**

The Lord Welby added to the Joint Committee : And a Message ordered to be sent to the House of Commons to acquaint them therewith, and to request them to add one of their Members to the said Joint Committee.

**PREVENTION OF CRUELTY TO  
CHILDREN BILL [H.L.].—(No. 166.)**

House in Committee (according to Order) : The Amendments proposed by the Joint Committee made : Standing Committee negatived : The Report of Amendments to be received on Monday next.

**COPYHOLD (CONSOLIDATION) BILL  
[H.L.].—(No. 171.)**

Amendments reported (according to Order), and Bill to be read 3<sup>a</sup> on Monday next.

**PAROCHIAL ELECTORS (REGISTRATION  
ACCELERATION) BILL.—(No. 174.)**

Read 3<sup>a</sup> (according to Order), with the Amendments, and passed, and returned to the Commons.

**BUSINESS OF THE HOUSE.**

Standing Order No. XXXIX. to be considered on Monday next, in order to its being dispensed with for that day's Sitting.

House adjourned at Five o'clock,  
to Monday next, a quarter  
before Eleven o'clock.

## HOUSE OF COMMONS.

Friday, 27th July 1894.

QUESTIONS.

NEWTON ABBOT WORKHOUSE.

SIR S. NORTHCOTE (Exeter): I beg to ask the President of the Local Government Board if his attention has been called to the proceedings of the Newton Abbot Workhouse Guardians, as reported in *The Western Morning News* and *Western Daily Mercury* of 5th July; and if he can now state what decision the Local Government Board have arrived at with regard to the confirmation of the appointments of the new master, matron, and principal nurse in this establishment?

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (MR. SHAW-LEFEVRE, Bradford, Central): The Local Government Board have communicated to the Guardians of the Newton Abbot Union their decision with reference to the re-appointment of the master of the Workhouse; but the Board's letter has not yet been submitted at a meeting of the Guardians, and I think it right that the Guardians should be made aware of the decision of the Board before the effect of it is stated by me in the House. With respect to the office of principal nurse, the Board urged upon the Guardians that they should obtain the services of a person holding a certificate as a trained nurse and also a certificate in midwifery, and I am informed by the Guardians that they have now appointed as head nurse a person who has been recommended by the Workhouse Nursing Association.

THE STRAITS SETTLEMENTS.

MR. W. JOHNSTON (Belfast, S.): I beg to ask the Under Secretary of State for the Colonies whether any decision has been arrived at as to the amount of the military contribution to be paid annually by the Straits Settlements; and if he will state the amount?

MR. HENNIKER HEATON (Canterbury): At the same time, I will ask

if the Secretary of State for War can state when a decision will be arrived at with regard to the military contribution to be exacted in future from the Straits Settlements?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (MR. S. BUXTON, Tower Hamlets, Poplar): I extremely regret that I am not yet in a position to give any definite reply on the matter. I understand that the matter is under the special consideration of the Treasury to-day, and I have every reason, therefore, to hope that a speedy conclusion will be come to on the matter.

MR. W. JOHNSTON: Will the hon. Gentleman be able to give me an answer on Monday?

MR. S. BUXTON: I should like a few days longer.

MR. W. JOHNSTON: Then I will put it down for Thursday.

LONDONDERRY ASYLUM.

MR. PINKERTON (Galway): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware of the strong feeling in the County of Londonderry in favour of having the new asylum erected in a central part of that county; whether any decision as to the site has been arrived at; and whether he will suggest to the Board of Control the desirability of selecting a site in a central district?

THE CHIEF SECRETARY FOR IRELAND (MR. J. MORLEY, Newcastle-upon-Tyne): I am aware that several communications have been received in favour of various sites—situate in different parts of the County Londonderry—for the new asylum. The question of selecting a site is at present under consideration, and no decision has been come to, or will be arrived at, without full consultation between the Board of Control and the Board of Governors.

MR. PINKERTON: Is the right hon. Gentleman aware that the Corporation of Derry are bringing undue pressure to bear on the Board of Control to influence the decision of that body?

MR. J. MORLEY: The Board of Control have not made any complaint to that effect.

SIR T. LEA also asked a question as to the sites inspected by the Visiting Committee; but Mr. J. Morley intimated that

he could not answer offhand, and the hon. Baronet thereupon gave notice that he would put a question on the Paper for Monday.

#### ROYAL LIVER FRIENDLY SOCIETY.

**MR. JACKS** (Stirlingshire): I beg to ask the Secretary to the Treasury if any steps have been taken to prevent a repetition of the cases of the Royal Liver Friendly Society recently brought under his notice; if his attention has been called to a report in the Darwin paper of the 14th instant, where similar acts seem to have been committed by the Yorkshire Provident Life Assurance Company; if he is aware that such experiences are having a very bad influence on the more thrifty of the working community; and if he will have such steps taken as will put an end to such illegal courses?

**THE SECRETARY TO THE TREASURY** (Sir J. T. HIBBERT, Oldham): I have been in communication with the Chief Registrar of Friendly Societies on this question, and I am informed that the managers of the Royal Liver Friendly Society have undertaken to do all they can to discourage misrepresentation by their agents. The case to which my hon. Friend now calls attention appears to be essentially different from that of the Royal Liver, being apparently a case of illegal assurance made void by the Gambling Act, 14 Geo. 3, c. 58; but as it seems that the decision of the Magistrates is to be appealed against, it would scarcely be proper to comment upon it. No doubt such experiences might ultimately have a bad influence on the more thrifty of the working community, but, so far as they tend to discourage the effecting of illegal insurances, to that extent the effect would not be prejudicial. Under the existing law no offence is committed by a company which grants an illegal policy on the life of an adult; no steps can, therefore, be taken to put an end to such illegal courses without further legislation, though such legislation would, I think, be highly desirable.

#### STRANORLAR AND STRABANE RAILWAY.

**MR. MAC NEILL** (Donegal, S.): I beg to ask the Postmaster General whether his attention has been directed to the fact that, although the Donegal Railway

Company have, since the narrow gauging of their line from Stranorlar to Strabane, re-arranged their train service, so that a train leaves Killybegs at 11.15 a.m. instead of 9.15 a.m., and Donegal at 12.35 p.m. instead of 11 a.m., to catch the limited mail train to Dublin at Strabane, the postal authorities continue to despatch the mails from Killybegs at 7.30 a.m., and from Donegal at 10.30 a.m., though the later train is available without any extra cost, thus depriving the public of several hours for writing letters; whether he is aware that all the mails for the district west of Donegal Town are carried by a train arriving at Killybegs several hours later than the mails were formerly delivered by car; whether this inconvenience arises from the refusal of the Treasury to approve of an offer of the Railway Company, for a very small additional cost, to run a special train conveying the mails several hours earlier than they had formerly been delivered by car; and whether, having regard to the grave inconvenience entailed on business men by the present system, steps will be taken for the acceleration of the delivery of the mails in this district?

**THE POSTMASTER GENERAL** (Mr. A. MORLEY, Nottingham, E.): I find that the alteration of train service referred to came into effect on the 16th instant, but the Railway Company have intimated that they will revert to the former arrangement on the 1st proximo. It is true that the night mails now arrive by railway at some places on the Killybegs line later than they used to arrive by car. There is compensation for this, however, in the later despatch from those places; and longer intervals for reply are now afforded. There has been no refusal of terms offered by the Company for an improved service, and negotiations to that end are pending which I hope may be brought to a successful issue.

#### COLDBATH FIELDS MONEY ORDER OFFICE.

**MR. HALSEY** (Herts, Watford): I beg to ask the Postmaster General whether, in view of the Reports of Lord Playfair and Mr. Corfield as to the very defective state of the ventilation of the Money Order Office, late Coldbath Fields Prison, he will take immediate measures to carry out the recommendations con-

tained in their Reports, and in the meantime, in the interest of the health of those employed, discontinue the use of the building?

**MR. A. MORLEY:** Measures are being taken for carrying out forthwith the improvements in the ventilation which have been recommended, and it is found that the work can be done without interruption to the use of the building. I may add that at this period of the year, when many of the staff are absent on their annual holiday, and the windows can be kept open, the defective state of the ventilation, which was noticed in the colder months, is not apparent.

**SIR A. ROLLIT (Islington, S.):** I should like to ask the right hon. Gentleman whether the Report does not state that a thorough system of ventilation is impossible owing to the construction of the building? Does he think ventilation by one window is a safe course to persist in, and is it not a fact that a promise was given by the Government in August, 1888, that the occupation of the building should only be temporary?

**MR. BARTLEY (Islington, N.):** Is is not a fact that several of the clerks have been away at different times from serious illnesses caused from the bad condition of the building?

**\*MR. A. MORLEY:** I am unable to answer that question definitely; but, so far as I know, no undue amount of sickness of a serious character has been reported. No doubt the state of the ventilation has been productive of some sickness.

**SIR A. ROLLIT:** The right hon. Gentleman has not answered my question as to whether or no a pledge was given by the Government in 1888 that the occupation of the building should be temporary.

**MR. A. MORLEY:** At the time mentioned no doubt the Government intended that the occupation of the premises should be temporary only, but I do not think that any pledge to that effect was given by them.

#### BRENTWOOD SCHOOL SCANDALS.

**MAJOR RASCH (Essex, S.E.):** I beg to ask the President of the Local Government Board whether he has observed that in the evidence given at the Government inquiry into the cruelty to children case at Brentwood, Essex, it was stated that the visit of each member of the School

Committee cost the ratepayers 9s.—namely, 5s. first-class fare and 4s. refreshments; and whether, in view of the comments of the learned Judge at the recent Essex Assize on the way these duties had been neglected with reference to the children, he would order these persons to be surcharged for their refreshments and first-class fares?

**MR. SHAW-LEFEVRE:** An inquiry with reference to the Brentwood School, which extended to the question of the visitation of the school by the Visiting Committee, has just been concluded, but I have not yet received the Report on the inquiry. I have no authority to order members of the Committee to be surcharged, as suggested, with the amount of their expenses in visiting the school.

**MAJOR RASCH:** Is the right hon. Gentleman not aware that the clerk to the Guardians stated in his evidence that an allowance was made to the members of the Visiting Committee?

**MR. SHAW-LEFEVRE:** I have no information on that matter.

#### LABOURERS' COTTAGES IN THE DUNGANNON UNION.

**MR. W. O'BRIEN (Cork):** I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been drawn to the conduct of the majority of the Dungannon, County Tyrone, Board of Guardians in persistently declining to put the Labourers' Act in force in the Annamoe division, notwithstanding a duly signed requisition from the ratepayers, and to the chairman's statement that he was opposed to this Act being introduced into the Union, and wanted to prevent it really being introduced there; and whether he will advise the Local Government Board to send down an Inspector at once to inquire into the Guardians' neglect of their legal duty?

**MR. J. MORLEY:** The matter has been brought under the notice of the Local Government Board, who have already asked the Guardians to furnish copy of the representation received from the ratepayers, together with a copy of the sanitary officer's certificate in relation thereto, and particulars as to the vacant houses which the Guardians alleged to be available for the accommodation of labourers. A complaint on the subject was received from a man named

Francis McAleer (on whose behalf the representation was apparently made), and the Board have informed him that any application for an inquiry into the matter should, under Section 4 of the Act of 1891, be signed by the persons who signed the representation.

#### EXEMPTION FROM THE FACTORY ACTS.

**SIR H. MAXWELL (Wigton):** I beg to ask the Secretary of State for the Home Department whether he has power to make order exempting certain industries from some of the provisions of the Factory Acts; whether such an exemption has been made affecting the necessary Sunday labour of women and boys dealing with fruit at factories during the months of June, July, August, and September; whether he will consider if a similar exemption may be extended to creameries during the summer months, seeing that in them a commodity more perishable than fruit has to be handled; and if this proposal commends itself to his judgment, if he will direct the suspension of the prosecutions now pending against the managers of certain creameries in Scotland?

**THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. ASQUITH, Fife, E.):** The Secretary of State has no power to grant such an exemption as is suggested in the question. The process of cleaning and preparing fruit so far as is necessary to prevent the spoiling of the fruit on its arrival at a factory or workshop during the months of June, July, August, and September, was exempted by the Factory Act, 1891, and not by an order of the Secretary of State. I cannot, therefore, discontinue the prosecutions to which the hon. Baronet refers. I am, however, making inquiries as to the arrangements in respect of Sunday labour in all the creameries in the Kingdom, and I will see whether legislation on the question is required.

#### INFANT INSURANCE IN IRELAND.

**MR. M'CARTAN (Down, S.):** I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the observations of Mr. Justice Gibson on the insurance of the life of an infant whose parents, Eliza and Andrew Bell, were charged at the County Antrim Summer Assizes last

week with having wilfully neglected their child, who died in the Belfast Union Hospital on the 19th instant; whether he is aware that the Judge described the facilities given by the insurance office as a fatal inducement to parents to carry the insurance to such offices; and whether, considering the recent disclosures at the Coroner's Court, Belfast, as to the temptation and danger of insuring the lives of children, he will make inquiry into the matter?

**MR. J. MORLEY:** The facts are as stated by my hon. Friend. Legislation would be necessary, however, to check the evils to which the learned Judge referred, and in whose observations I quite concur; but, as my hon. Friend is aware, there is no possibility of taking action in this direction just at present.

**MR. W. JOHNSTON:** Will the right hon. Gentleman consider the propriety of introducing a Bill on this important subject early next Session?

**MR. J. MORLEY:** This is a Bill which would affect England as well as Ireland—it would affect the United Kingdom in fact—and I am not sure it would fall within my province to introduce it. It certainly is a matter which ought to be considered.

**MR. M'CARTAN:** Cannot the right hon. Gentleman induce the Government to afford facilities for passing the Bill now before the House? We are agreed on that.

**MR. W. JOHNSTON:** No, we are not agreed.

[The question was not answered.]

#### COUNTY CESS; RATHLIN ISLAND.

**MR. M'CARTAN:** I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that the poor farmers of Rathlin Island are now obliged to contribute towards the county cess for the making and maintenance of the county roads in the barony of Cary, in County Antrim, notwithstanding that these Islanders derive no advantage whatever from the expenditure; and whether he will consider the desirability of taking steps to relieve them from this imposition?

**MR. J. MORLEY:** Rathlin Island forms part of the Barony of Cary and contributes, in proportion to its valuation, to the cess levied on the barony.

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The County Surveyor states it is not correct to suggest that the Islanders derive no advantage whatever from the expenditure. The roads on the Island, which are numerous, are made and maintained out of the county cess in common with the other roads in the barony on the mainland. The matter is one that is regulated by the Grand Jury Acts, and the Government have no power to interfere.

#### RATHLIN ISLAND VOTERS.

**MR. M'CARTAN:** I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that there is no polling station on the Island of Rathlin, which is situated so far from the County Antrim coast that the electors of the Island are practically disfranchised; and whether he will make inquiry to see if anything can be done to enable them to record their votes at Parliamentary elections?

**MR. J. MORLEY:** It is the case that there is no polling station on this Island. The nearest polling station is at Ballycastle, which is nine miles distant on the mainland. I am afraid it is not practicable to take any effective steps in the direction suggested. However, I shall make inquiry in the matter.

#### POOR RATE COLLECTIONS IN SOUTH LEITRIM.

**MR. TULLY (Leitrim, S.):** I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the Local Government Board are aware that Mr. Matthew Creegan, of Clooncoose, South Leitrim, whose valuation is £3 15s., has been obliged twice to pay the poor rates with costs by the rate collector, Mr. Charles Pope; and whether, as the landlord, Colonel French, is liable to pay the poor rates for all tenants under £4 valuation, the Local Government Board will direct that these rates be collected in future from the landlord of this estate?

**MR. J. MORLEY:** The Local Government Board are informed by the Clerk of the Mohill Union that the Magistrates in Petty Sessions decided that the landlord was not liable for the rates in this case, Creegan being rated in common with another person at £5 5s., and the landlord only recognising one tenant. The question having been deter-

mined by a legal tribunal, the Local Government Board have no power to interfere in the matter.

#### MALICIOUS BURNING IN GALWAY.

**MR. T. W. RUSSELL (Tyrone, S.):** I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that the house and shop of a man named Kinton were maliciously burned and everything destroyed on Sunday night last, at Moyrus, County Galway, and that the police found paraffin and matches near the ruins; and if, in consideration of the state of feeling in Moyrus, he will consider the propriety of establishing a police station there for the protection of life and property?

**MR. BODKIN (Roscommon, S.):** Is the right hon. Gentleman aware that a bad case of this nature occurred on the De Freyne estate lately, and that for it no one was amenable? Seeing that this offence is so often practised with impunity by the Irish landlords, will the right hon. Gentleman take steps to secure its impartial repression.

**\*MR. T. W. RUSSELL:** There is no question of landlord and tenant in this case.

**MR. J. MORLEY:** I must confess I do not think the cases cited by the hon. and learned Member are very apt. It is a fact that the house and shop of Mr. Kinton, together with a considerable amount of property, were destroyed by fire on Monday morning, and that paraffin oil and matches were found near the scene. The Divisional Commissioner and County Inspector have personally investigated the case on the spot, and both of these officers inform me that the motive of the occurrence is at present involved in some doubt. Kinton is most popular with his Roman Catholic neighbours, with whom he did a very flourishing trade, and he did not in any way mix himself up with the mission work in the locality. He was always a Protestant, and there is nothing sectarian in the case. The matter of placing a police barrack at Moyrus has been for some time under consideration, but the Divisional Commissioner sees no reason for concluding that the occurrence of this outrage renders the establishment of a police-station necessary. As a matter of fact, a police patrol had passed Kinton's house shortly before the fire was observed, and they had only

got about half a mile from the house when the flames were observed, and they hastened to the scene. The police could not have been more promptly on the spot even had there been a barrack at Moyrus at the time.

\***MR. T. W. RUSSELL** : I beg to give notice that on the Estimates I shall raise the question of police protection at Moyrus.

#### HYDE PARK.

**MR. SPICER** (Monmouth, &c.) : I beg to ask the First Commissioner of Works whether he will consider the advisability of throwing open to the general public the various roads intersecting Hyde Park, the cost of maintaining which is borne by the nation, instead of mainly reserving these roads, as is now the case, for the use of private carriages?

**THE FIRST COMMISSIONER OF WORKS** (Mr. H. GLADSTONE, Leeds, W.) : I would invite the attention of my hon. Friend to the reply which I gave in the House on the 15th ult. to a very similar question by my hon. Friend the Member for Northampton. I then said that no representations had up to that time been made to the Office of Works in favour of the change, which was so considerable a one that I did not think it could be made without some expression of opinion by the House.

#### LETTER BOXES ON TRAINS.

**MR. HENNIKER HEATON** : I beg to ask the Postmaster General whether he is aware that there exists a general feeling of surprise and dissatisfaction at the delay in attaching letter boxes to all through trains ; whether the Post Office Department has considered the question, and made the necessary arrangements with the Railway Companies ; and, if not, what objections have been raised, and by whom, to the institution of this reform ; and whether he is aware that the through trains in the leading foreign countries and in the colonies are provided with letter boxes ?

**MR. A. MORLEY** : I am not aware that any such feeling exists. It has been found practicable in some few cases to afford the accommodation by ordinary trains in accordance with requests made to the Department, but applications on the subject are rare. Wherever a sorting carriage is run in a train the public can

hand their letters in for post, provided they bear a late-fee stamp of  $\frac{1}{2}$ d. ; but there are many practical difficulties in the way of the use of letter boxes by all through trains, and I am not prepared to adopt the system generally. Special provision has, however, been made for sending letters on an emergency by railway for a fee of 2d. in addition to the postage, and much success has attended this arrangement. I have no recent knowledge of the Continental or Colonial practice ; but I understand that in France and Germany the rule is to attach letter boxes to mail trains only, though ordinary trains sometimes carry them ; but even in these countries, so far as my information goes, the system has not been attended with much advantage, and it is said that of late years it has not been extended.

#### ENNISKILLEN ROYAL SCHOOL ESTATE TENANTRY.

**MR. M'GILLIGAN** (Fermanagh, S.) : I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland (1) whether he is aware that the tenants on the Enniskillen Royal School Estate are anxious to purchase their holdings, and have offered 16 years' purchase for them to the Commissioners of Education in December last, and as yet have received no definite reply ; that the Enniskillen Board is favourable to the sale ; and that the condition of these tenants is such that they will be unable to pay their rents in the future unless they obtain relief either by purchase or abatement ; (2) have the managers of this estate, who in 1893 received the sum of £576 8s. 5d. for their services, a voice in opposing the sale to the tenants ; (3) and will inquiries be made with a view of meeting the requirements of the tenants on this estate ?

**MR. J. MORLEY** : (1) The facts are generally as stated in the first paragraph, except as I am informed, the Commissioners of Education have no information as to the statement at the end of the first paragraph. They have, however, directed their agent to report to them any cases where the circumstances would appear to call for special consideration. (2) The cost of management of the estate in 1893 was as stated in the second paragraph. Of this sum the agent received £103, and the remainder went to pay the usual outgoings for rates, taxes, labour,

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&c. on the estate. (3) The agent has not been consulted with reference to the question of sale.

**ASHPERTON AND CANON FFROME  
NATIONAL SCHOOLS.**

**MR. RADCLIFFE COOKE** (Hereford): I beg to ask the Vice President of the Council on Education is he aware that the Ashperton and Canon Ffrome National Schools in the County of Hereford were built in 1855 on plans sanctioned by the Education Department, and enlarged in 1874 in accordance with plans submitted to and approved by the Department, and altered and repaired at considerable cost in 1890 and 1892; that the main school-room, without the classroom, is large enough to accommodate 30 more children than are in average attendance; and, that for 20 years past the school has not received the good or excellent grant; and will he explain why the managers have been ordered to enlarge their class-room in order to secure the better training of infants although an infant class does not exist (the average of infants being under 20), and there is ample space for such training in the main school-room, in view of his utterance to the effect that he did not wish to unduly press existing schools?

**THE VICE PRESIDENT OF THE COUNCIL** (Mr. ACLAND, York, W.R., Rotherham): This school was built in 1855 with the aid of a Parliamentary grant, and a class-room was added in 1874, a sketch of which was approved by the Department at the time. According to the Returns made by the managers there were no alterations made in 1890, but in 1892 a new floor and window were put in. The school is a mixed and infants' school, with an average attendance of 100 children, and 119 on the books, of 25 are infants. The school-room is large enough to hold the whole of the children, but it is obviously impossible that upwards of 100 children of all ages should be efficiently taught in a single room. The managers have, therefore, been informed that the class-room (which in only ten feet wide) must be enlarged so as to make it suitable for the instruction of infants. I will, however, consider the question further.

**"NO BILLS" AT ENNISKILLEN  
ASSIZES.**

**MR. M'GILLIGAN**: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that at the recent Assizes held in Enniskillen no bill was returned against Robert M'Gabey, a Unionist registration agent, although the prosecution was made at the instance of County Court Judge Orr, who stated that the accused had committed deliberate wilful perjury; also that at the same Assizes no bill was returned against Robert Dane Lissen, who was returned for trial on a charge of shooting at Robert W. Beacom of the same place, at a special Petty Sessions Court presided over by E. F. Hickson, R.M., at Enniskillen; and whether the Attorney General for Ireland will institute a fresh prosecution of these parties?

**MR. J. MORLEY**: It is a fact that the County Fermanagh jury threw out the bill in each of the two cases referred to. I have caused the papers to be laid before the Attorney General, and he advises that in the first case the evidence of wilful perjury was weak and unsatisfactory, and that in the second case the Grand Jury came to the conclusion that the shot was fired, not at Mr. Beacom, but at a dog that accompanied him. The Attorney General does not consider that the facts would warrant him in directing fresh bills to be sent up at a future Assizes.

**MR. W. JOHNSTON**: What became of the dog?

[The question was not answered.]

**THE OPIUM QUESTION.**

**MR. WEBB** (Waterford, W.): I beg to ask the Secretary of State for India if he will place in the Library the Reports on the Administration of the Opium Department for 1890-91, 1891-2, and 1892-3?

**THE SECRETARY OF STATE FOR INDIA** (Mr. H. H. FOWLER, Wolverhampton, E.): I find there are no spare copies of these Reports in the India Office; but copies shall be procured from India, and placed in the Library as soon as possible.

**READING BOOKS IN IRISH SCHOOLS.**

**MR. BODKIN**: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland is he aware that school chil-

dren and monitors in Ireland under the National Board are examined in the contents of their reading books, extending in some cases to nearly 2,000 pages of miscellaneous information, and consisting of totally disconnected pieces of prose and poetry; whether he is aware that, inasmuch as the preparation for this examination involves cramming the result is necessarily uncertain, as complete mastery of the subject-matter is impossible, and that the examination is viewed with dissatisfaction by the teachers, monitors, and pupils; and whether any such system prevails in England; if not, whether he will take steps to abolish the system existing in Ireland and substitute the system prevailing in the English Board schools?

MR. J. MORLEY: The series of reading books is graduated for pupils according to their classes, but none of these books extends, so I am informed, to 2,000 pages. The number of pages varies from 64 to 484. Monitors at their final examination, which takes place at the close of their five years' monitorial course, are examined in the series of lesson books which, as pupils and monitors, they have already passed through. I have no information that the examination is viewed with dissatisfaction by either monitors or pupils. It was stated in a reply to a question by my hon. Friend on November 30th last that the English and Irish courses do not correspond and cannot be compared.

CHRIST CHURCH INFANT SCHOOL,  
LOWESTOFT.

MR. H. FOSTER (Suffolk, Lowestoft): I beg to ask the Vice President of the Committee of Council on Education if his attention has been called to the recent correspondence between the Department and the Rev. D. Dickson, on behalf of the managers of Christ Church Infant School, Lowestoft, upon the subject of the last two Reports of Her Majesty's Inspector, and particularly to a letter from the Department, dated 14th June last, in which they support the statement of Her Majesty's Inspector, that, as regards staff and space the minimum of requirement is approached, while the maximum of grant is expected and even claimed; whether the Report of the Inspector also complained of defects for which the crowded state of the

school and the character of the staff were said to be mainly responsible; whether the accommodation of the school is reckoned by the Department at 297 places; or, if not, then at what number; whether he is aware that the average attendance for 1892 was 221, and for 1893, 248; and that the school was staffed, according to the rules of the Department, for an average attendance of 260; whether the letter of the Department of the 14th June last proceeded to refer to the indulgent treatment extended to the school in previous years, the faults of teaching, and the inconvenience of accommodation; and, if so, what was the nature of the indulgence extended and when, what the faults of teaching, and the inconvenience of accommodation, and when were any of these matters first mentioned by Her Majesty's Inspector; whether the school has, for many years past, borne a high repute, earning the excellent merit grant annually since 1885, whether the staff has been repeatedly praised by Her Majesty's Inspector, and whether in particular by the Inspector's Report in 1891; whether, in December, 1892, Her Majesty's Inspector for the first time made serious complaints, and particularly in consequence of the erection of a parish room; whether the managers, in a letter to the Department of 16th January, 1893, complained of the sudden change which had taken place in the attitude of the Inspector towards the school and themselves; and whether they informed the Department in the said letter of an observation reported to them as having been used by the Inspector to the head teacher, to the effect that he was disgusted with the managers; whether, on the 14th April last, the managers addressed a written protest to the Department against the strictures of the Inspector, and requested that a special investigation be instituted by the Department through an unbiased Inspector; whether such request was repeated on 2nd May, whether it has been refused by the Department, and for what reason; whether any, and if so what, portion of the grant has been withheld since the appointment of the right hon. Gentleman as Vice President; and, if so, for what period, and for what reason; and whether he will direct that an independent inquiry shall be made into the circumstances of the case?

**MR. ACLAND :** I think I should be wasting the time of the House if I attempted to follow all the details of these questions, which were only put down last night, in my reply. No grant has been withheld from the school while I have been in office. The matters referred to in the question have already formed the subject of inquiry by the Department, and I do not exactly understand what the hon. Member means by suggesting that an independent inquiry should be made.

**MR. H. FOSTER :** Have not the managers asked for an independent inquiry with reference to the Report of the Inspector as to lighting and other matters?

**MR. ACLAND :** It may be so, but I do not understand what an independent inquiry in a matter of this sort is.

**MR. H. FOSTER :** Cannot the Department send someone down to inquire?

**MR. ACLAND :** I was under the impression the hon. Member wanted an inquiry by someone outside the Department. We are not accustomed to send anybody but Inspectors. I will consider if we can send the Chief Inspector down.

**MR. MAC NEILL :** Perhaps the right hon. Gentleman will entrust the matters to a Board of Promoters with the hon. Member as Chairman.

**MR. H. FOSTER :** I beg to ask the Vice President of the Committee of Council on Education whether, if the managers of Christ Church Infant School, Lowestoft, should refuse to admit children up to the limit of accommodation recognised by the Department, they will endanger their whole grant from the Department, while if they admit children up to the recognised limit, or even up to last year's average only, they are liable to reduction of the grant for crowded accommodation; and whether he is aware that the school in question is one of the brightest, best lighted, and healthiest schools in Lowestoft?

**MR. ACLAND :** I intended my answer to the last question to cover this.

#### BILLINGSGATE TOLLS.

**MR. H. FOSTER :** I beg to ask the President of the Board of Trade if he is aware that the Corporation of London have recently agreed to reduce by one-half the toll on all water-borne fish

brought to Billingsgate Market, but that no reduction has been authorised in respect of land-borne fish; whether the proposed alteration has been submitted to the Board of Trade, in pursuance of Section 13 of 9 & 10 Vic. c. 346, for the approval and sanction of his Department; and whether, having regard to the large amount of land-borne fish sent to Billingsgate Market from Lowestoft, Yarmouth, Plymouth, and other ports, he will, before giving such sanction and approval, suggest, as specially provided by the aforesaid section, that the reduction of toll shall apply equally to land-borne fish?

**THE PRESIDENT OF THE BOARD OF TRADE (MR. BRYCE, Aberdeen, S.) :** I have not received any application from the Corporation of London for the approval and sanction of an alteration in the amount of tolls to be paid in Billingsgate. I do not find that the 13th section of 9 & 10 Vic., c. 346, has any bearing on the particular point mentioned in the question.

**MR. H. FOSTER :** But is it not necessary that any alteration of the bye-laws or regulations should be submitted to the Department for approval?

**MR. BRYCE :** This section applies to nothing of the kind. I do not understand that any reduction of tolls has to be submitted for sanction. Section 9 fixes the maximum tolls, and Section 13 requires any alteration in the bye-laws to be submitted to the Board of Trade; but inasmuch as the reduced tolls fixed by the Corporation are much below the maximum, I do not see that it is necessary to submit them for the sanction of the Department.

#### THE NATIONAL TELEPHONE COMPANY.

**MR. H. FOSTER :** I beg to ask the Postmaster General whether his attention has been called to the fact that the chairman of the National Telephone Company, Limited, at the annual general meeting of that Company, held upon the 25th instant, stated that they had come to an agreement with the Post Office, which can now be submitted to the House of Commons for confirmation; whether such agreement has been entered into; and, if so, on what date, and when it will be submitted to the House for confirmation; and whether he will be able to state what

opportunity will be afforded to the House for considering the agreement?

\***MR. A. MORLEY**: I think it may be said that an agreement has at last been arrived at between the National Telephone Company and the Post Office; but until the approval of the Company has been formally conveyed to me, and the sanction of the Treasury obtained, I shall not be in a position to lay the draft agreement on the Table of the House. I think it right to add that some questions connected with the Companies controlled by the National Company must first be settled, but I have no reason to apprehend that this will involve serious difficulty or delay. In answer to the last paragraph, I would point out that the agreement does not require the confirmation of Parliament, and I am therefore not aware that any special opportunity for its consideration will be necessary, but the subject is one which can in due course be raised on the Telegraph Estimates.

**MR. LABOUCHERE** (Northampton): I should like to ask the right hon. Gentleman whether he did not promise that the agreement should be laid on the Table before it was signed, and whether that does not involve some sort of discussion?

**MR. HENNIKER HEATON**: Before that question is answered, may I ask whether the right hon. Gentleman will undertake that the question shall not be finally settled before the House has had an opportunity of expressing its opinion upon it, and whether he will also give us an undertaking that if this matter comes on at the end of the Session he will give us a promise that the carrying out of the agreement shall be postponed till next Session?

\***MR. A. MORLEY**: I cannot give any such undertaking. I have already distinctly stated that the agreement will be laid on the Table before being signed. But I may say that this agreement is merely the formal embodiment in a legal document of an agreement signed by the late Government carrying out a policy which in the Telegraph Act of 1892 had been approved by the House of Commons.

**MR. LABOUCHERE**: Do I understand there is no alteration at all?

**MR. A. MORLEY**: I think practically there is no alteration; there has been, of course, a great amount of work

in deciding on the areas, but the agreement is practically on the same lines as that which has already been sanctioned by Parliament.

**MR. HANBURY** (Preston): Does the right hon. Gentleman mean to say that the fact of laying the agreement before the last Parliament binds the present one? Will he lay the agreement before Parliament before it is signed, so that we shall have an opportunity of discussing it?

**MR. A. MORLEY**: I have stated over and over again that the agreement will be laid on the Table of the House before it is signed. Proper time will be given to hon. Members to consider it.

#### THE DENBIGHSHIRE INTERMEDIATE EDUCATION SCHEME.

**MR. H. ROBERTS** (Denbighshire, W.): I beg to ask the Vice President of the Committee of Council on Education whether he will state what is the present position of the Denbighshire Intermediate Education Scheme; whether he is aware that two material alterations have been recently made by the House of Lords in the scheme—namely, the omission of Clause 87, Sub-section (b), providing that the formularies of no particular denomination should be used in the boarding houses of the county schools, and the exclusion of that portion of the scheme which related to Ruthin Grammar School; whether a scheme, dealing with this school under the Endowed Schools Acts, was framed and passed in 1886 by the Charity Commissioners, and whether his attention has been drawn to a circular issued by the Governors in 1888, declaring that the school was undenominational, and that the pupils were not subject to any religious test; whether any Petition was lodged to test the legality of any provision in the scheme dealing with the Ruthin School before the Judicial Committee of the Privy Council; whether in the case of the Denbighshire scheme the requirements of the Welsh Intermediate Education Act, 1889, were complied with by the authorities responsible for framing the scheme; and whether he can state the best course to pursue in order to secure, without religious restrictions, secondary and technical education for girls as well as boys in the Ruthin Intermediate School district?

*Mr. H. Foster*



**MR. ACLAND :** The period of two months during which this scheme has to lie before Parliament expire to-day. The scheme has been altered in another place, as stated in Paragraph 2 of the question. The Ruthin Grammar School is, under a scheme framed under the Endowed Schools Acts and approved by Her Majesty in 1881, an undenominational school. I have seen a circular issued by the Bishop of St. Asaph, Mr. Coruwallis West, Sir John Puleston, and others, stating that the school is undenominational. The Charity Commissioners are of opinion that the requirements of the Act were complied with in framing the scheme, and no Petition has been lodged to have the legality of any part of the scheme tried before the Judicial Committee. I think the best course to pursue will be that, after the scheme has received Her Majesty's approval, the Joint Education Committee should confer with the County Governing Body to be established under the scheme, with the view of considering what, if any, further proposals they should make to the Charity Commissioners.

#### SCHOOL ACCOMMODATION IN CLECKHEATON.

**VISCOUNT CRANBORNE (Rochester) :** I beg to ask the Vice President of the Committee of Council on Education whether it is proposed to establish a School Board in Cleckheaton owing to the closing of the Westgate School; whether he is aware that a large part of the accommodation thus required could be furnished by the St. Luke's School close by, and that the National School and British School, which could furnish accommodation for the remainder, are within three-quarters of a mile from the Westgate School, and an even less distance from the homes of all the children for whom accommodation not furnished by St. Luke's will be required; whether, in view of the fact that the special reason for rejecting this arrangement has been stated by the Department to be the distance of these two schools from the mills at which the half-timers work, he is aware that there are only 41 half-timers at Westgate School, and that half-timers always go home before going to school; whether before coming to a decision the Department held a public inquiry; and, if not, what means they

took to get information; and whether he is aware that a large majority of the people are opposed to the establishment of a School Board?

**MR. ACLAND :** A final notice is about to be issued in respect of the additional school provision required at Cleckheaton. The noble Lord is doubtless aware that, after the publication of the first notice in March last, a public inquiry might have been demanded by the managers of any elementary school in the district, or by any 10 ratepayers. No such demand, however, was made, and no public inquiry has been held. The places available at St. Luke's School were taken into account in estimating the deficiency; but the Department were satisfied from the Reports made by Her Majesty's Inspector that none of the other schools in the town were near enough the Westgate School to supply the deficiency caused by its closure, especially in view of the half-time children, in whose case it is important that their school should be near both their homes and the mills at which they work. I do not know whether a majority of the people are opposed to the establishment of a School Board; but, if so, it will be still open to them after the publication of the final notice to avoid one by submitting plans for supplying the deficiency by voluntary effort.

#### THE GRANT TO PUBLIC ELEMENTARY SCHOOLS.

**VISCOUNT CRANBORNE :** I beg to ask the Vice President of the Committee of Council on Education whether the absence of any mention of Wales in the second and third parts of the Quarterly Return of Public Elementary Schools Warned means that there have been no schools in Wales from which the Department have threatened to withhold or postpone the grant for defective premises during the last quarter?

**MR. ACLAND :** It is so obvious on the face of the Return alluded to that no Welsh school is mentioned that I am obliged to suppose that the question has some further meaning. The facts are these: The Return is only for three months, from April 1st to June 30th. Out of 20,000 schools in England and Wales only 28 schools or parts of schools have been warned without suspension of grant, and only three have had their grant

suspended. It happens, as would be expected, that a large number of English counties do not appear in this Return, nor do any Welsh counties. It is almost impossible to suppose that the noble Lord has any object in this question, unless he imputes unfair partiality to Inspectors of officers of the Department, with reference to schools in Wales during these three months. I must, not for the first time, tell the noble Lord that such insinuations against the Department are most objectionable, and most strongly to be deprecated in the interest of the Public Service.

VISCOUNT CRANBORNE: It appears that the right hon. Gentleman is entirely unable to appreciate that an hon. Member of this House—[*Cries of "Order!" and "Question!"*] I think I am entitled to make an explanation after what the right hon. Gentleman has said. I wish to say that I put down this question in order to obtain information which, I imagine, is the usual reason for which hon. Members ask questions.

MR. ACLAND: I may be allowed to say that the information is so patent on the face of the Return that it is impossible the question could be asked for that purpose.

VISCOUNT CRANBORNE: I can assure the right hon. Gentleman that such was the case, and he has no reason whatever to impute motives to hon. Members.

MR. BARTLEY (Islington, N.): On this question I beg to give notice that on the Vote on Account I shall draw attention to the enormous increase of Church and other denominational schools warned by the Department.

#### CONTRACTS FOR WORKS IN IRELAND.

DR. KENNY (Dublin, College Green): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the Board of Works, Ireland, have recently issued specifications for contracts for works in which English cement is specifically mentioned as that to be used in the execution of the said works; and, if this be so, whether he will direct that in future all specifications for contracts for works shall simply state that the cement to be used shall be of first-class quality, as approved by the Board?

THE SECRETARY TO THE TREASURY (Sir J. T. HIBBERT, Oldham)

*Mr. Acland*

(who replied) said: I am informed that it has been the usual, though not invariable practice, of the Board of Works to name in its specifications a particular cement of known quality, and to add the alternative words "or other approved cement of equal quality." Directions were given last month that this form of specification should be used in all cases without exception.

DR. KENNY: I am aware that the alternative words "or other approved cement of equal quality" were formerly adopted; but is the right hon. Gentleman aware that within the last few days specifications were issued for works in which these words were omitted, and in consequence of that the contractors say they are bound to use nothing but English cement, to the great detriment of that made in Ireland?

\*SIR J. T. HIBBERT said, that he was not aware of it.

#### THE PICTURES IN THE NATIONAL GALLERY.

DR. KENNY: I beg to ask the Secretary to the Treasury whether he will grant a Return showing the number of pictures acquired by purchase by the National Gallery from 1874 to the present date, giving title of painting, name of artist where ascertained, and the price paid in each case?

\*SIR J. T. HIBBERT: The information asked for is given for the period from the establishment of the Gallery up to 1869 in House of Lords Paper, No. 198, of 1868-69, and for the following period up to 1884, inclusive, in House of Commons Papers, Nos. 190, of 1870, and 50, of 1884-5. The information for each year since 1884 is given in the Director's Annual Reports, printed year by year, and laid before Parliament, but a separate Return for the period from 1885 to 1894 could be prepared if considered necessary.

#### THE LEIGHLINBRIDGE FEMALE NATIONAL SCHOOL.

DR. KENNY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he will grant the Return asked for in Notice of Motion this day, in reference to the Leighlinbridge (County Carlow) Female National School?

MR. J. MORLEY: This Notice of Motion was only placed on the Paper

this morning, and I have not had sufficient time to obtain the observations of the National Board on it. Perhaps the hon. Gentleman will be good enough to repeat the Notice on Monday.

#### INDIAN IMPORT DUTIES ON COTTON GOODS.

**SIR W. HOULDSWORTH** (Manchester, N.W.): I beg to ask the Secretary of State for India whether, in view of the Resolution passed by this House on 10th July, 1877, with reference to the Indian Import Duties on cotton goods, he can give an assurance that such duties shall not be re-imposed without an opportunity being given to the House to express its opinion?

**MR. H. H. FOWLER**: The Resolution of the House of July 10, 1877, with reference to the Indian Import Duties on cotton goods was to the following effect:—

"That, in the opinion of this House, the duties now levied upon cotton manufactures imported into India, being protective in their nature, are contrary to sound commercial policy, and ought to be repealed without delay, so soon as the financial condition of India will permit."

The Resolution deals with duties that are protective in their nature, and I have already stated to the House that, in my opinion, the Executive Government ought not to sanction steps which would reverse that decision without giving an opportunity for discussion in this House. The imposition of duties which would not be protective in their character are not affected by the Resolution.

#### THE COLLECTION OF RATES IN DUBLIN.

**DR. KENNY**: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been directed to that portion of the proceedings of the North Dublin Union Board of Guardians, at their weekly meeting on the 25th instant, which dealt with a communication to the Board from the Collector General of Rates, Dublin, in which the latter stated that he had deducted £1,000 from the poor rate collected by him, which he stated he was empowered to do under Order of the Privy Council; whether there is any legal authority for this Order; and, if so, under what Act of Parliament; whether the charges of

the Collector General of Rates amount to  $7\frac{1}{2}$  per cent. of the rates collected; whether the seventh section of the Collection of Rates (Dublin) Act limits the remuneration of the Collector General of Rates to  $2\frac{1}{2}$  per cent. of amount collected; and whether the Corporation of Dublin have their rates collected for  $1\frac{1}{4}$  per cent.?

**MR. J. MORLEY**: The communication referred to in the first paragraph was the usual one, transferring £1,000 on account of the Collector General's salary and pension from all rates proportionately to the Office Account in the Bank of Ireland, and not from poor rate only as stated. No reference was made to any Privy Council Order. This has been the course pursued since 1858 under the opinion of the Law Officers of the Crown. The charge for management of the Collector General's Office for 1893 was  $3\frac{1}{2}$  per cent. on the rates collected. In addition to this, there are the charges for Collector General's salary, law costs, and pension, which, under the opinion of the Law Officers of the Crown, are not chargeable to the  $2\frac{1}{2}$  per cent. fund; with these included the cost would be  $6\frac{1}{2}$  per cent. It must be borne in mind that the fund available now from which to deduct the expenses of the officers has been reduced by two-thirds in consequence of the subdivision of the collection of rates; consequently, the percentage must be higher. The 27th section of the Collection of Rates Act limits the expense of management to  $2\frac{1}{2}$  per cent., but the 73rd section of the Dublin Corporation Act, 1890, gives the Lord Lieutenant power to increase such percentage. I have no information on the point referred to in the concluding paragraph.

**DR. KENNY**: Will the right hon. Gentleman inquire into this matter, inasmuch as the citizens of Dublin are being mulcted to the extent of 5 per cent. over and above what the Corporation collect the rates for?

**MR. J. MORLEY**: I am constantly inquiring into this particular matter, but I will inquire again.

#### LONDON POLICE MAGISTRATES.

**MR. POWELL WILLIAMS** (Birmingham, S.): I beg to ask the Attorney General whether his attention has been called to the case of Elizabeth Saunders, convicted on the 23rd instant, at West-

minster Police Court, of cruelty to three children, and sentenced by Mr. de Rutzen to a term of three months' imprisonment for each offence, or nine months in all; whether he is aware that provincial Justices, sitting in Petty Sessions, are advised by the Magistrates' clerks that under the Summary Jurisdiction Acts they cannot sentence any prisoner to a punishment exceeding a term of six months with hard labour, except in cases of failure to find security for good behaviour at the end of that term; and whether the London Police Magistrates have larger powers of punishment than provincial Magistrates sitting in Petty Sessions possess; or whether it is to be understood that Courts of Summary Jurisdiction both in the Metropolis and in the provinces have powers to inflict cumulative sentences which may extend beyond six months' hard labour?

**THE ATTORNEY GENERAL** (Sir J. RIGBY, Forfar): Questions of this kind ought more regularly to be addressed to the Home Department. No doubt, if that were done the Secretary of State for the Home Department would cause the proper steps to be taken and communicate with the Police Magistrate about this case.

**MR. POWELL WILLIAMS**: I am not at all calling in question the exercise of the Magistrate's judgment; I am only asking as to his powers.

**SIR J. RIGBY**: If that is an abstract question of law, I must decline to answer.

**MR. POWELL WILLIAMS**: It is not an abstract question. It is a concrete question. I will put it down again for Mouday.

#### COMPOUNDING FOR STAMP DUTY.

**MR. T. M. HEALY** (Louth, N): I beg to ask the Chancellor of the Exchequer on what date the Inland Revenue arrived at the conclusion not to exercise their statutable discretion to allow limited companies to compound for Stamp Duty; was any Minute drawn up; and could the case of any companies who applied prior to this Minute be reconsidered on the basis of prior procedure?

**THE CHANCELLOR OF THE EX-CHEQUER** (Sir W. HARCOURT, Derby): I am inquiring into this matter.

*Mr. Powell Williams*

#### SCOTTISH LOCAL GOVERNMENT BILL.

**MR. GRAHAM MURRAY** (Bute-shire): I beg to ask the Chancellor of the Exchequer whether he proposes to take the Report of the Scotch Local Government Bill before or after the Committee stage of the Equalisation of Rates Bill; and whether in any case he will give 24 hours' notice of his intention to take the Scotch Bill, in order to allow time for communication to those Members who may happen to be temporarily absent in Scotland? In putting this question, I have to say that several hon. Members have suggested that 48 ought to be substituted for 24.

**SIR W. HARCOURT**: Our intention is to take the Scotch Local Government Bill after the Equalisation of Rates Bill. I will endeavour—and no doubt I shall be able—to give adequate notice to Scotch Members, in order to save them any inconvenience.

**MR. HOZIER** (Lanarkshire, S.): Will the Bill be taken between the Committee stage and Report of the Rates Bill, or after the Rates Bill altogether?

**SIR W. HARCOURT**: After the Equalisation of Rates Bill altogether, according to our present intention.

#### THE EVICTED TENANTS BILL.

**SIR D. MACFARLANE**: I beg to ask the Chancellor of the Exchequer if he will follow the precedent established by the late Mr. Smith, and name a date when the Evicted Tenants Bill and the Equalisation of Rates Bill shall be reported to the House? I wish further to ask the Chancellor of the Exchequer whether he is aware that when the House went into Committee on the Bill yesterday the number of Amendments to the first clause upon the Paper was 222, and that, after eight hours' discussion, there still remained 214 Amendments to be disposed of?

**MR. J. REDMOND** (Waterford): Before the right hon. Gentleman answers that question, I would ask permission to put an additional one. It is, whether he will take into consideration the advisability of proposing a Resolution that the Evicted Tenants Bill be reported on a particular date; also providing in the same Resolution a definite space of time for the discussion of each of the five or six contentious clauses in the Bill?

SIR W. HARCOURT: At present the answer that I have to give is that, when the time arrives, the Government will announce to the House the measures which they think necessary to enable the House of Commons to transact the business of the country.

SIR D. MACFARLANE: Can the right hon. Gentleman state approximately when that announcement will be made?

SIR W. HARCOURT: I have said that the announcement would be made when the proper time arrives.

#### CHINA AND JAPAN.

SIR E. ASHMEAD-BARTLETT (Sheffield, Ecclesall): I beg to ask the Under Secretary of State for Foreign Affairs if he has any information regarding the reported hostilities between China and Japan?

MR. S. BUXTON (who replied) said: I have been asked to give the following answer to this question: Telegrams have been received from Her Majesty's Representatives at Peking and Tokio, both dated last night, relative to negotiations for the preservation of peace, so that it is evident that there had been no declaration of war by either side up to that time.

#### BUSINESS OF THE HOUSE.

MR. BARTLEY: I beg to ask the Chancellor of the Exchequer whether he is aware that a great number of questions will be raised on the Votes in Supply, and whether the right hon. Gentleman will take the Report stage of the Vote on Account on Tuesday as the first Order, so as to give two days for discussion, as otherwise it will not be possible to get through the Vote on Account on Monday evening?

SIR W. HARCOURT: The Vote on Account will be taken on Monday. The Report stage cannot come on till Tuesday. I would suggest to the hon. Member, and to the House, that as we are within a week or two of Supply, when we shall have an opportunity of considering all the questions on the Votes, no long discussion on the Vote on Account is either necessary or justifiable to the same extent as when we are taking the Vote on Account at a considerable period before Supply is raised. As to whether the Report stage will be taken on Tuesday, I would rather reserve my statement on that subject till Monday.

MR. BARTLEY: Is it not the fact that we are not likely to take any substantial Supply until about September; and, in that case, is it not reasonable that we should have some time to discuss the Vote on Account?

SIR W. HARCOURT: That may be the hon. Member's opinion, but it is not mine.

#### ORDERS OF THE DAY.

##### EVICTED TENANTS (IRELAND) ARBITRATION BILL.

COMMITTEE. [*Progress, 26th July.*]

Bill considered in Committee.

(In the Committee.)

Clause 1.

Amendment proposed, in page 1, line 6, after the word "determined," to insert the words "otherwise than for breach of statutory conditions 2 to 6."—(*Mr. Barton.*)

Question again proposed, "That those words be there inserted."

Debate resumed.

\*MR. T. W. RUSSELL (Tyrone, S.) said, whatever might be the opinion of some hon. Members as to the Amendments upon this Bill, he believed that when the House came to consider this Amendment they would find it one of substance, and he confessed he was not able to understand why it was that the Government resisted it. The only reason he had heard advanced against this Amendment by the supporters of the Bill was that the exact words of the Bill were taken bodily from the 13th section of the Act of 1891. He submitted that that was not a sufficient reason for the rejection of the Amendment. Section 13 of the Act of 1881 was undoubtedly passed in respect of tenants who had been evicted for non-payment of rent. He said that was beyond all question. Nobody contemplated when that measure passed any other eviction save that which followed from non-payment of rent. Another important fact to be borne in mind was that every line of the 13th section was liable to be construed by the Courts of Law; but so far as he understood the particular section of the Bill now before them, not a line of it could come before any tribunal except that of which Mr. Piers White was to be the head. That

made a great difference between the two clauses. Again, the Government expressly declared that they meant the arbitrators to have power to include other evictions. That was to say, they might include every other eviction than those for non-payment of rent. That completely differentiated the two sections. What were the statutory conditions to which his hon. and learned Friend who moved the Amendment referred? The first was as to the payment of rent, and, of course, that was set aside by the Bill itself. The other statutory conditions for breach of which a tenant might be evicted were waste, sub-letting or subdivision of holding, bankruptcy, interference with the landlord's right of re-entry, and erecting a public-house upon the holding. Surely it was not contended that if tenants were put out of their holdings for breach of any of these statutory conditions that then Mr. Piers White, Mr. George Fottrell, and Mr. Greer should have the power to reinstate them? He could not see any ground for that, and he had been trying to find out what it was that influenced the Government in opposing an Amendment like this. The only reason he could find was in the second statutory condition. A state of circumstances such as these would be possible under the second statutory condition. He took a farmer on any Plan of Campaign estate who had not been evicted—and there were certain farmers allowed to pay their rents because of certain conditions. Suppose that farmer allowed his farm to be used for the purpose of Land League huts being erected upon it—which had happened on five or six different estates—he could be evicted for breach of the second statutory condition entitled “persistent waste.” In that case, of course, the owners of the land who had allowed farms to be used in this way would be entitled to get the benefit of this Bill. Apart from that one question he could not find a single reason for the Chief Secretary refusing to accept the Amendment of his hon. and learned Friend. He said that this Bill first of all contemplated evictions that were due to the non-payment of rent. That was the whole scope of the Bill when it was read a second time, and it was those evictions that had caused the administrative and social difficulty upon which the Chief Secre-

tary had dwelt all through. Surely the right hon. Gentleman did not mean to say that tenants put out of occupation because of breaches of any of the statutory conditions laid down in the Act of 1881 were the tenants he had in his mind when he entered upon the consideration of this question? It never once occurred to the Mathew Commission; it never once occurred to the Chief Secretary; and he could not understand why the right hon. Gentleman should resist an Amendment of substance like this, and which was reasonable in character.

Mr. CARSON (Dublin University) said, as they had passed from the original tenants who were evicted for non-payment of rent into those other cases of title affecting the landlord's property, he thought it would be well for the Committee to understand what were the safeguards enacted by the Act of 1881, so as to prevent any injustice resulting to the tenant by reason of a breach of the statutory conditions which would entitle the landlord to evict. As the hon. Member for South Tyrone had just said, one of the statutory conditions was that if the tenant should not commit persistent waste by the dilapidation of buildings, or such waste as led to the deterioration of the soil. What the Committee were asked to do was to say that where a tenant had committed persistent waste, or where, after notice to desist from the particular waste which was deteriorating the soil had been given to him, he had still gone on and persisted in deteriorating the soil, and had in consequence been evicted, he should be put back. That was only one matter. Let him point out other protection which was given to the tenant so as to prevent injustice being done in exercising this right and putting him out for breach of the statutory conditions. The landlord, before he could give effect to his right at all, had to serve 12 months' notice of eviction on the tenant, and during that year the tenant had a right to apply to the Land Commission Court to restrain all proceedings if he could show to the Court that he had not done any injury to the holding, or if he was willing to pay compensation for any injury which he was shown to have done. On payment of such a sum as would repair the damage which was proved to have been done, all proceedings to put



him out were at an end. They had, therefore, had a Court to which the tenant was enabled to apply for the purpose of getting rid of his own default in relation to the statutory conditions, and they must assume that where the tenants had any case they had applied to the Court, that the Court had laid down special terms on which they might stay in the holdings, and these terms had been disregarded by the tenants. The Committee were now asked by this temporary Commission, of which Mr. Piers White was to be President, to overrule these terms which had been laid down by the Land Court, and—whether the terms had been carried out by the tenant or not, or where the tenant had persisted in committing waste, deteriorating the soil, that he was unable to go to the Court to ask to be relieved of his default—to say that that was a case in which the landlord, after some eight or ten years, ought to take him back to his holding. If cases of that kind were to be allowed for one moment to be raised in Ireland they would have innumerable tenants in future disregarding these statutory conditions, and relying upon the House of Commons itself, by *ex post facto* legislation, giving them relief from what was practically their own default. The hon. Member for South Tyrone said that cases would arise where a tenant had built huts for sheltering evicted tenants. Of course, such cases would arise. He knew of a case where not only were houses built on the property, but the houses that were already there for the purpose of working the holdings were converted into separate huts for evicted tenants, and the whole structure of the houses changed. In this case the landlord exercised his right under the section of the Act of 1881, and the tenants had no ground whatsoever to go before the Land Commission to get relief, it being an act of the most persistent waste in relation to the dilapidation of buildings. The sole reason for which they were asked to over-ride the section of the Act of 1881 was to allow any tenants who, through their own wilful default, had taken away all the powers practically of the Land Commission, to get rid of the breaches of the statutory conditions. One of the inducements to Parliament to pass the Act of 1881, enabling tenants to get fair rents fixed, was that these statutory conditions should be regarded; but if the

Government did not accept this Amendment, the result would be that in future the tenants would completely disregard them.

\*MR. T. M. HEALY said, both the hon. Member for South Tyrone and the hon. and learned Gentleman the Member for Dublin University had said that there were innumerable cases where a tenancy was determined for a breach of statutory conditions. He would ask him to cite just one little one. One case was tried against a parish priest on the Lansdowne Estate, and, speaking from recollection, he thought that Lord Lansdowne failed in his ejectment proceedings, and then had to take proceedings in Chancery; but neither the tenancy of the parish priest or of any tenant in Ireland had been touched for a breach of the statutory conditions. He pointed out that the Amendment dealt only with tenancies from year to year, and, therefore, leaseholders were to be put under superior conditions to tenants from year to year, with regard to these statutory conditions. Personally, he should have no objection to the acceptance of this Amendment but for one reason—namely, that if they accepted this they must accept any other Amendment pointed to real or supposed possibilities, and thus they would sever themselves from the safe anchorage of saying that they would let all these cases of hardship or grievance, right or wrong, be tried by this tribunal. The Government had appointed a Commission which they regarded as a safe tribunal, and to this Commission the matter should be left. Under these circumstances, if any other course were adopted by the Government than that of opposing the Amendment, they would find themselves getting back into the Home Rule Debates of last year, when it was proposed to debar the Irish Parliament from committing all the sins in the Decalogue. Members of the Tory Party might propose that the Bill should not apply in the case of a tenant with red hair, or a lame leg, or of a tenant who had been in America or Australia. He did not consider Amendments like this were aimed at the removal of any just grievance, but only proposed with the object of producing a result which they saw last night when the Member for West Birmingham sat down and, rubbing himself with evident enjoyment, after having

wasted a quarter of an hour, turned round to receive the congratulations of his friends. Under these circumstances, he could not advise the Government to accept any Amendment which would give that right hon. Gentleman an opportunity of again turning round to receive the congratulations of his friends.

**MR. J. CHAMBERLAIN** (Birmingham, W.) : Last night the hon. and learned Member for Louth said the House of Commons was not a school. Perhaps, Sir, that is the reason why he has no manners. Sir, he has just made a very important admission upon which I wish to base an appeal to the Government. We have been discussing this question for some hours, and may continue to discuss it for some hours more, because it is undoubtedly a very important question of principle. In the course of these discussions the principal opponent we have met with is the hon. and learned Member for Louth, and he has just told the Committee that all this opposition to our proposal is only for the reasons which he has given, and that, upon the merits of the Amendment, he sees no possible objection to it. I put that to the Government. We propose an Amendment to which the strongest advocate that can be found on the Government side in Committee sees no objection. Does not the Chief Secretary see that, at any rate, in such cases as this, he would be shortening the proceedings by giving way. Neither he nor anyone else can suggest that the acceptance of the Amendment would do the slightest harm to any living person. We have pointed out a number of cases in which the refusal to accept the Amendment would do harm. [An hon. MEMBER: You pointed out no case.] That is a contradiction, but it is not an argument. There are a number of cases in which you might do injustice. Not a single case has been referred to on the other side, and it is perfectly evident from the last statement of the hon. and learned Gentleman that such cases cannot be found. What is to be the conduct of the Government on the rest of this discussion? The hon. and learned Member for Louth, who seems to direct the proceedings—he directs the Chair; he directs the Government, and he would like very much to direct us—

*Mr. T. M. Healy*

**MR. T. M. HEALY** : The day has gone by when I used to.

**MR. J. CHAMBERLAIN** : I can remember the time when the hon. and learned Gentleman was in very different relations, and when he was a suppliant for favours. But I do not see that that is relevant to the Amendment. The hon. and learned Gentleman suggests to the Government that they should refuse any Amendment which we propose—however reasonable it is, and however impossible it may be to find any objection to it—on the ground that if they accept our Amendments we shall devote ourselves to proposing a perfectly idiotic series of Amendments such as the hon. and learned Member suggested. We are not going to do anything of the sort, and we are not going to take his advice. But I do ask the Government, if they wish to help us to bring this discussion to a close, at all events to accept an Amendment to which their own side sees no objection, and which we have seriously pressed upon them.

**MR. SEXTON** (Kerry, N.) said, the right hon. Gentleman must not suppose they had such short memories as to believe that the acceptance of Amendments would help to bring the discussion to a close. They knew, on the contrary, that the acceptance of Amendments last year was used by the Opposition as a justification for obstruction and a reason for moving further Amendments. He therefore warned the Government to be very careful how they accepted any Amendment, because undoubtedly it would immediately be used—no matter how devoid of merits the Amendment might be—by the right hon. Gentleman and those who followed him as an argument for justifying prolonged Debate and indulging in further obstruction. The only right the tenant would have under the paragraph of the clause to which exception was taken by the Opposition was to petition the arbitrators, and the powers of determining what should be done remained with the arbitrators, and it was a dangerous thing to insert words which might afterwards have the effect of inflicting hardship by exclusion. The right hon. Gentleman had stated that cases had been cited in which the refusal of this Amendment would inflict hardship on the landlords, but he did not remember a solitary case being cited.

Although it was true that breaches of the statutory conditions of the Act of 1881 had been rare, there were cases in which the insertion of the words of the Amendment might inflict serious hardship on the tenant. His hon. and learned Friend (Mr. Healy), in opposing the Amendment, had spoken not merely for himself, but, as far as he was aware, the opinion of all the Irish Members. The third of the statutory conditions of the Act of 1881 stated that a tenant should

"not erect on his holding any dwelling-house otherwise than in substitution for those already on the holding at the time of the passing of this Act."

Would the Committee observe that under this statutory condition, if a tenant had at any time during the late struggle allowed an outhouse to be used as a shelter for his homeless neighbour, or allowed a hut of any kind to be erected on his farm to shelter men, women, and children who had been evicted, that man would have been guilty of a breach of the statutory conditions, and for that breach could be evicted? Would the Committee say—would the hon. Member for South Tyrone say that that man should be denied the right to petition the arbitrators? He respectfully submitted that if that man were evicted for such an act he should not be shut out from the benefits of this Bill. There was also another case. It was a breach of the statutory conditions to cut turf except what was required for the use of the holding, and on such a trumpery question as that a tenant might be evicted for a breach of the statutory conditions. Would anyone contend that he ought to be shut out? A tenant evicted for a breach of the statutory conditions lost his right to compensation for disturbance, and the sale of his tenancy was not of any use to him. Such a man would have suffered a grievous hardship, and he thought he had made it clear that in such a case a tenant should be entitled to the benefits of the Bill.

THE SOLICITOR GENERAL (Sir R. T. REID, Dumfries, &c.) said, the right hon. Member for West Birmingham had very justly observed that they had been discussing this matter for several hours. Under these circumstances, it would be admitted that the Government

had already stated their views in regard to the Amendment, so that it was unnecessary to repeat them. It had been stated that the Amendment could do no harm, and, on the other hand, it could do no good. That being so, the Government were happy to have a rock upon which to build themselves in the concluding words of the 13th section of the Land Act of 1891, which were derived from the highest authority, and it seemed to him that it would be unwise if they were to depart from a precedent of that kind, especially when fortified by the good reasons given by the hon. Member for North Kerry.

MR. A. J. BALFOUR (Manchester, E.) failed to see how the arguments of the hon. Member for Kerry had fortified the case of the Government. The hon. Member had told the Committee there were certain breaches of the statutory conditions, such as sheltering a homeless family in an outhouse or cutting turf from a bog, which would justify the landlord in expelling a tenant, and that a tenant so expelled clearly belonged to that class whom this Bill was intended to benefit. As his hon. and learned Friend the Member for Dublin University had pointed out, the existing land legislation in Ireland had made ample provision against any technical abuse of these statutory conditions by the landlord, and such cases as had been suggested could not possibly arise. By their own confession the Government had said that they did not mean the Bill to extend to that class of tenants who had committed such breaches of the statutory conditions as to cause the landlord to expel them. If that was their intention it should be expressed on the face of the Bill. The Government, they had always known, trusted to the votes of the Irish Members below the Gangway for carrying through their Parliamentary programme. It now appeared they not only trusted to their votes, but to their arguments, leaving the whole burden of supporting the Bill to the gentlemen from Ireland, not only in the Lobby, but in debate. No one recognised more genuinely than he the great ability of the hon. Member for Kerry, but he did not think that hon. Gentleman succeeded in dealing with this question, and he would express the hope even now that they might have from the

Government some argument of their own.

Mr. ARNOLD - FORSTER rose, when—

Mr. J. MORLEY rose in his place, and claimed to move, "That the Question be now put."

Question put, "That the Question be now put."

The Committee divided:—Ayes 175 ; Noes 119.—(Division List, No. 194.)

Question put accordingly, "That those words be there inserted."

The Committee divided:—Ayes 131 ; Noes 177.—(Division List, No. 195.)

Mr. W. KENNY (Dublin, St. Stephen's Green) said, he would move to insert after "determined," in the first sub-section of the clause, the words "otherwise than by voluntary surrender," so that the first part of the clause would read "where the tenancy of a holding in Ireland has been determined otherwise than by voluntary surrender." He trusted that the Government would not consider the warning thrown out by the hon. Member for Kerry on the last Amendment, and would see no reason for objecting to this Amendment. In the discussion of that Amendment it was said that there would be cases of hardship if the proposal were accepted; but it would be impossible for cases of hardship to arise under his Amendment, which would raise the question whether the case of a man who had voluntarily surrendered his holding to the landlord should come within the sub-section and have the right of reinstatement. Cases in which tenancy had been determined by voluntary agreement ought, he thought, to be excluded from the operation of the Bill, and no injustice would be done by such exclusion. There were three classes of cases in which there had been voluntary surrender. First, the most ordinary case, in 1880 or 1881, in which the tenant found his holding burdensome—found that even after he had got a fair rent fixed it did not pay to remain on it. The tenant in this class of case had gone to the landlord for reasons other than high rent and had said, "For a certain sum," or "If you will forgive me the arrears of rent I will surrender the holding to you," and the land had accordingly been surrendered. In a case

of that sort to say that at the end of 12 or 13 years the old tenant was to be allowed to return and say to the landlord, "I have a right to be reinstated." Another class of case was that of the middleman, who, under the eighth section of the Act of 1887, had the right to surrender his holding when the rent he paid the landlord was greater than the rent paid by the tenants to him. This was a case which had occurred more than once. In such a case where the middleman had actually given up the land to the landlord and the landlord had resumed possession should the middleman be allowed the benefit of the provisions of this Bill? Thirdly, there was the case where the tenant's house being burnt, or "rendered incapable of beneficial enjoyment," he could, under the Act of 1860, surrender the holding. He wished to know whether the Government intended that these cases, or any of them, should come within the purview of the Bill, bearing in mind that in each instance the landlord might have been in possession for many years and might have incurred considerable expense? He thought this point ought to be raised and decided at the very outset, not only for the guidance of the arbitrators, but that unnecessary costs to the landlord hereafter might be avoided.

Amendment proposed, in page 1, line 6, after the word "determined," to insert the words "otherwise than by voluntary surrender."—(*Mr. W. Kenny.*)

Question proposed, "That those words be there inserted."

SIR J. RIGBY said, it was obviously important that cases of hardship should not be shut out where the equity was in favour of the tenant who had ceased to hold rather than that they should exclude possible cases which the arbitrators might deal with themselves. There must be many cases of great hardship in which tenancies had been voluntarily surrendered. Let them take the case in which a man had for years struggled against the burden of an exorbitant and unjust rent, and at last found it impossible to go on. No doubt it was a very awkward predicament that he was in having either to continue to his ruin to keep up his tenancy—his only means of livelihood—or to give it up, and no doubt many people in that position made

what the law would call a "voluntary" surrender, but what, in fact, was the giving up of the last plank of safety because it could no longer be retained. Doubtless many of these tenants would say, "I have struggled to pay this unjust rent, and the Legislature has not come to my assistance. I am bound to go because my means of raising the rent are altogether exhausted." There must be many such cases, and he thought they were eminently of a character that ought to be brought within the purview of a Bill of this kind. The hon. Member had referred to the case of the middleman—not a common one—the case of the man who availed himself of the means afforded by the Act of 1860 to get rid of what was to him a *damnosa hereditas*, from the fact that he was paying a larger rent to the landlord than he received from those actually occupying the land. There might be cases of the kind, but could the Committee imagine such a man desiring to get the land back again? At any rate, the introduction of the words of the Amendment into the Bill would of necessity exclude numerous cases in which no one, considering the actual circumstances, would wish to exclude the claimants. That would be against what the Government had already said, and there were special reasons why the Amendment could not be accepted.

MR. MACARTNEY (Antrim, S.) said, the Attorney General had practically stated that a tenant who had surrendered his holding years ago on account of what was presumed to be exorbitant rent would come within the purview of the Bill, and he had assumed that it would be the task of the arbitrators to inquire into all the various difficulties under which the tenant laboured and was unable to pay his rent. The hon. and learned Gentleman seemed to have forgotten that the Chief Secretary had told them that the labours of the arbitration would be comparatively short, and that they would deal with the cases in groups. He (Mr. Macartney) could not imagine how the case set up by the hon. and learned Gentleman to the Committee as a reason for opposing the Amendment was to be sustained, because it was evident that if the tribunal were to consider the case of the tenant who had surrendered by reason of any exorbitant rent, it would have to go into an inquiry,

compared to which the function of the Land Commission would be a trifle. He observed that the hon. and learned Gentleman—indeed, everybody on the Front Bench—arrogated to themselves the right of setting up any number of supposititious cases against every Amendment; but if a possible case were mentioned by their opponents they objected. As to the case suggested by the Attorney General, no one had imagined during the First or Second Reading that such a case would come under the Bill.

MR. FLYNN (Cork, N.) said, the effect of the Amendment would be to exclude from the benefits of the Bill a class of deserving tenants to whom the sympathy of the Committee ought to be extended.

MR. J. LOWTHER said, he thought some fresh light would be thrown upon this matter. It now appeared, from the statement of the Attorney General, that the Government meant to benefit tenants who had voluntarily surrendered their holdings, perhaps many years ago. That announcement was calculated to make the Committee pause. The Bill was introduced with the object of removing what was alleged to be a social difficulty in Ireland, and that object was to be effected by facilitating the reinstatement of evicted tenants in the holdings they formerly occupied. He disapproved strongly of any such plan, and thought that persons who had been evicted, especially those who had been evicted for causes within their own control, ought not to receive boons under Acts of Parliament. Their position would then serve as a useful object-lesson to other tenants. This plan, of which he disapproved, but which had been sanctioned by the House by the Second Reading of the Bill, it was now proposed to extend, and other than evicted tenants were to be benefited. The financial provision made in the Bill must be insufficient to meet the additional demands that would be made upon the funds at the disposal of the arbitrators. He acquitted the Government of having sought to deceive, nevertheless the Bill, in the circumstances which had now developed, was a fraud upon Parliament. He feared that unless this Amendment were agreed to demands would be made before long upon the British taxpayer for additional funds.

Against any such demands he should protest in the name of his constituents. He should not be deterred from fulfilling what he believed to be his duty to his constituents by the interruptions of any gentleman who combined disorder with discourtesy.

Question put.

The Committee divided :—Ayes 144 : Noes 190.—(Division List, No. 196.)

VISCOUNT WOLMER moved an Amendment which he said had the object of excluding from the scope of the Bill cases in which the tenant's interest had been purchased by the landlord. That class of cases would include the case of a tenant who, having no dispute with his landlord, got into difficulties with a creditor. In such a case the landlord might purchase the tenant's interest. Again, a tenant might choose to vacate his holding, and put his tenant-right up to auction, when it might be bought by the landlord. He could not see how it could be said to be justice to reinstate a man in such circumstances.

Amendment proposed, in page 1, line 6, after the word "determined," to insert the words "otherwise than on a purchase by the landlord of the tenant's interest."—(*Viscount Wolmer*.)

Question proposed, "That those words be there inserted."

SIR R. T. REID said, his noble Friend wished to provide that wherever there was a purchase by the landlord of the tenant's interest no relief should be given. In answer to that, he would only refer to the case of a landlord proceeding by *fi. fa.*, and putting the tenancy up to auction and buying it for an old song. It was quite impossible to accept the Amendment.

MR. A. J. BALFOUR said, the hon. and learned Gentleman took the case of a tenancy sold for a nominal sum under a *fi. fa.* Why was it sold for a nominal sum?

SIR R. T. REID : Because there is no competition.

MR. A. J. BALFOUR : Why is there no competition?

SIR R. T. REID made an observation which did not reach the Reporters' Gallery.

MR. A. J. BALFOUR : An admirable answer ! A tradesman sells up a

tenant's interest, and because the tenant has combined with others in what hon. Gentlemen below the Gangway call disapproval of the landlord's conduct, and has therefore deprived himself of his interest in the farm, he is to obtain relief under this Bill. If the tenant's interest is sold for a nominal sum, no human being is to be blamed except the leaders of the agitation in Ireland. On their heads lies the blame, and out of their pockets should come the money. They should not come for relief to the Irish Government and to the British taxpayer, who is the person who stands behind the Irish Government. If they choose to take this course in the exercise of what they conceive to be their public duty, let them bear the cost and let them not come down to this House and ask us to bear the cost. We have been engaged for some time in trying to make this Bill consistent with the Orders of the House. It was laid down by the Chairman, and I think he has not been contradicted by any other authority, that at the present moment the Bill is not in Order, and that either by altering the title or altering the Bill it is absolutely necessary it should be brought into Order. We have been trying to make the substance of the Bill conform to the title. I believe the Government prefer to make the title conform to the Bill. I am curious to know what the new title of the Bill is to be, and I ask the Government to tell us, before we proceed with these Amendments, how they propose to make the title accord with the Bill? They have deliberately refused to accept our Amendments, excluding voluntary surrenders, and excluding purchase and all the rest of it, and I wish to know what form of words they propose to introduce into the title so as to bring the measure into conformity with the Standing Orders of the House? They have had a whole night and a whole day to think of it, and they might possibly shorten the discussion by making an announcement. At all events, we have a right to know what is the title their ingenuity suggests for adequately covering the provisions of their own measure.

\*MR. T. W. RUSSELL said, he quite understood why the Government could not accept the Amendment, and if he held their views he should resist it. The Solicitor General had talked about

*Mr. J. Lowther*



Members introducing all sorts of absurd exemptions. He would advise his hon. and learned Friend not to lose his temper so early, and not to indulge in language of that kind, because, after all, what Members of the Opposition had been doing since the Debate commenced had been trying to keep the Bill within the lines of its title. Of course, if this Amendment were carried one-half of the evicted tenants in Ireland would not have any ground whatever for going into the Court, and this was the real reason why the Government ought to oppose the Amendment. Nearly all these men were trespassers, and therefore if the Amendment were carried they would be put out of court. As to the value of tenant-right, the real reason why the landlord was able to buy the tenant's interest for an old song was that the authors of the Plan of Campaign, who had brought about these evictions for political purposes, would not allow the competitive value of the interest to be obtained in the open market. The proof of this was that, whenever tenant-right was sold outside the area of the agitation it fetched a fancy price. In the province of Ulster as much as £20 an acre was sometimes obtained for tenant-right, and it had been given in evidence upstairs that £40 an acre had been obtained for it. Gentlemen opposite having rendered nugatory the free sale clauses of the Land Act, and having thus robbed the tenants of their interest, asked Parliament to end their work and to put the tenants in the same position as that which they occupied before those hon. Members interfered.

MR. SEXTON (Kerry, N.) said, that no one could listen to any speech delivered by the hon. Gentleman who had just sat down without being convinced that the hon. Member was not able to give the Solicitor General any lessons in the art of keeping one's temper. As to the inquiry of the right hon. Gentleman the Leader of the Opposition (Mr. A. J. Balfour) respecting the title of the Bill, he (Mr. Sexton) had never yet heard that a discussion in Committee on the clauses of a Bill could be interrupted for the purpose of amending the title. The time to amend the title would not be reached until the completion of the proceedings of the Committee. The right hon. Gentleman (Mr. A. J. Balfour)

was six years Chief Secretary for Ireland, and in that time he might have learnt that tradesmen in Ireland did not pursue the tenants by means of writs of *feri facias*. The cases in which they did so were extremely rare. A man in Ireland had to arrange with his creditors as he had to do with his landlord, the only difference being that while the creditor was willing to accept fair terms the landlord was not. As to the question why landlords were able to buy tenants' interests for a small price, the hon. Member opposite (Mr. T. W. Russell) thought he improved his argument by proving the high value of the tenant-right. As a matter of fact, the high value of the tenant-right proved the universality of the detestation in which the landlord's conduct was held by the community. It was because the community was convinced that the landlord's conduct had been cruel and exacting that people refused to enter into competition with him. These cases had arisen before the Plan of Campaign came into existence, and people so execrated the landlords who sold the tenant-right that nobody would have any part in the sale except the landlord. The tenant, therefore, suffered as great a hardship as if he had been evicted.

MR. A. J. BALFOUR: I do not know whether the Government are going to take the hon. Member for Kerry (Mr. Sexton) as their universal provider of answers. I put to them a question, and the hon. Member for Kerry has decided that this is not the proper time to answer it. I cannot agree with him in that respect. We had a promise from the Chief Secretary (Mr. J. Morley) last night that we should have an announcement, not today, but soon, on a subject which is of some interest. With regard to the argument the hon. Gentleman has just addressed to us, he has, after all, confirmed all I said to the Committee except that we still differ on the question whether tradesmen proceed by writ of *fi. fa.* or not. I say that such cases are not so few in number as to be unworthy the consideration of the House. The hon. Gentleman has not at all denied that the absence of value in tenant-right in other parts of Ireland than Ulster is due to what amounts to the general conspiracy which prevails in other parts of Ireland.

I accept that statement from so high an authority. I should like to point out that a more extraordinary way of showing disapproval of the landlord's conduct than that of allowing him to purchase the tenant's interest for almost nothing and refusing to let the tenant sell his interest for what it is worth I never heard of. Nothing equals it except the burning of the Irish banker's notes in order to show disapproval of the Irish banker's politics.

MR. SEXTON said, the right hon. Gentleman did not appear to see that if people had competed with the landlord for the purchase of the tenant-right they would have allowed him to receive an unjust rent.

SIR R. T. REID: I rose with the hon. Member for Kerry, but gave way to him. I will communicate to the Chief Secretary what the right hon. Gentleman has just said. I think he will be in the House before long. Probably, under these circumstances, we shall now be allowed to go to a Division.

Question put.

The Committee divided :—Ayes 143 ; Noes 198.—(Division List, No. 197.)

MR. BARTON said, he hoped the Government would accept the Amendment he had now to move, and he did not see on what ground they could reject it. It was after the word "determined," to insert the words—

"otherwise than in pursuance of an order of a Judge of the High Court of Justice where a Receiver has been appointed."

In the case of an estate managed by the Land Judge in the interests of mortgages the Judge would have to consider before making an order of ejectment whether it was right and proper to do so. It was a distinct rule in the Land Judge's Court that a receiver might not bring an action of ejectment except practically in open court. He put it to the Committee whether a man ejected under these circumstances ought to be allowed to claim the right of reinstatement and thus override the judgment of the Court. Such a case could not be a case of unjust rent or a case in which a landlord had exercised a discretion imprudently or unreasonably, because injustice could be prevented in more ways than one. Was the Committee prepared to bring about a conflict of jurisdiction,

as it might do if it refused to adopt this Amendment, between the High Court and the new tribunal to be set up under this Bill? This was a matter which the Government ought to take into consideration. He would ask them to consider the case of an infant, say, a girl of eight or 10 years, whose estate was being administered and in which the Lord Chancellor would have full discretion. If that was so, was it fair or reasonable in such cases as these to override the orders of Judges of the High Court? He asked the Government to consider the interests of persons who were well deserving the consideration of the House. Surely the Committee was not going to raise up this conflict of jurisdiction, and he appealed to the Government to give their serious consideration to this important point of the arbitrators overriding the High Court.

Amendment proposed, in page 1, line 6, after the word "determined," to insert the words—

"otherwise than in pursuance of an order of a Judge of the High Court of Justice where a Receiver has been appointed by the High Court." —(Mr. Barton.)

Question proposed, "That those words be there inserted."

\*MR. T. W. RUSSELL asked whether Mr. Justice Monroe, of the Land Court, who had charge of 1,400 estates, including a large number of tenants, was to have his decisions set aside by Mr. Fottrell and Mr. Greer? He invited the Committee to take in illustration the case of a tenant who, in spite of the reduction of rent and the forgiving and wiping-out of arrears, had been turned out by the Judge's order. That occurred very frequently indeed. What did the Bill propose? It proposed that these arbitrators should override Mr. Justice Monroe. Surely the Government were not in earnest in making so monstrous a proposal. Where would they, after this, get new tenants to take these farms if the arbitrators were to override the orders of the Judges armed with authority by Parliament? He believed they would bring the whole machinery of the Land Judges Court to a standstill. Surely the Government, even in their enthusiasm for reinstating evicted tenants, could not propose to override the decision of a Judge of the High

Court. It was one thing to deal with Lord Clanricarde; it was another thing to deal with Mr. Justice Monroe and interfere with his work as a Judge.

**MR. J. CHAMBERLAIN:** Mr. Mellor, I see the hon. and learned Member for Louth in his place, and I desire to make a personal explanation of some words which I used with regard to him at an earlier period of the evening. In answer to an interruption on the part of the hon. and learned Member, I said that the time was past when he was a suppliant for favours, or something to that effect. The hon. and learned Gentleman is of opinion that these words of mine may be misconstrued, and that a meaning may be attached to them which I certainly did not intend to convey. Therefore, I ask the leave of the Committee to say that I did not intend to impute to him that he would have accepted favours which it would be dishonourable for him to accept. I will only add that, although the hon. and learned Member and myself have been bitterly opposed to each other, I never thought of attributing to him anything of a dishonourable character.

**\*MR. T. M. HEALY:** I am obliged to the right hon. Gentleman. I admit my remark was of a provocative character, and I also desire to withdraw it.

**MR. CARSON,** in supporting the Amendment, asked whether it was proposed by Government to give these temporary confiscators practical power to turn a Judge of the High Court out of property he was administering either for the benefit of creditors, minors, or other persons whose interests he was bound to protect? That was practically what they were going to do, and it would create serious conflict between the arbitrators and the Judges of the High Court. Where tenants had been turned out for non-payment of rent, and the property was sold, the Land Court Act gave a guarantee to the purchaser that the land was only subject to the particular tenancies mentioned. That was provided by the 61st section. The tribunal which it was now proposed to override gave what was known in Ireland as the guarantee of a Parliamentary title. The unfortunate purchaser of 12 or 13 years ago, who knew nothing of the facts, would now, under this Bill, be turned out in favour of a tenant who might have

been evicted two or three years before he purchased the property through the Encumbered Estates Court. Such a thing was absolutely ridiculous. It would turn topsy-turvy all the rights of property in Ireland, and would be practically repealing all the guarantees which had been given.

**SIR J. RIGBY** said, he agreed that it was ridiculous. The hon. and learned Member took a case which no rational being would entertain, an extreme which he himself said was ridiculous. They should consider what they were coming to. They were exhausting themselves in finding these ridiculous cases. Let them take care they did not lay down rules for the arbitrators which would be supremely ridiculous. There must be a *prima facie* case for reinstatement shown.

**MR. CARSON:** I do not know what a *prima facie* case is.

**SIR J. RIGBY** said, there were Members present in the House who did, and it scarcely mattered whether the hon. and learned Gentleman understood what a *prima facie* case was or not. In all arbitrations there was risk of error. The Amendment would lead to no satisfactory result, and it was merely an attempt to insult the arbitrators beforehand. If they were going to have a Second Reading Debate upon every Amendment that was moved by hon. Gentlemen opposite, it would be impossible ever to get through the Bill.

**MR. J. CHAMBERLAIN** confessed that he was lost in admiration at the number of new and extraordinary principles which had been laid down for the Committee by the great luminary at the head of the English Bar. The hon. and learned Gentleman had now said that they were going to set up a most extraordinary tribunal, something between an Inquisition and a Vehmgericht, which was to sit in secret and deal with the property of the landlords in Ireland, and indirectly with the lives and interests of a great number of the tenants. Because it had these extraordinary powers, the Attorney General said that was a reason why the Committee ought to trust it entirely. Then why on earth should they give the arbitrators any instructions at all? To do so was a most unreasonable interference with the liberty that ought to be accorded to the most extraordinary

tribunal ever created by an English Government. Not one single Amendment which had been proposed had been objected to on its merits, neither had it been shown that any evil would have resulted from assenting to it, and the Government had gone as far as to admit that in some cases injustice or mistakes might possibly be prevented by accepting them. Why, then, did the Government refuse to improve the Bill, and at the same time to conciliate the Opposition by adopting Amendments which they admitted could by no possibility do harm? It must be because in this matter the Government were not their own masters, and they had in all these cases to look to the other side of the House for reasons why an English Government should refuse to accept Amendments of this character. All he could say was that this certainly was not a usual or a fair way of discussing the details of so important a measure as this.

MR. J. MORLEY said, that he did not understand his right hon. Friend's reference to the position of the English Government.

MR. J. CHAMBERLAIN: I mean the predominant partner.

MR. J. MORLEY said, that if the predominant partner had done its duty by Ireland years and generations ago this Bill would not have been necessary. He made no concealment upon that point; he was always delighted when Irish Members below the Gangway favoured the House with their views and opinions on these questions. The faults in the Land Act of 1881 were due to the House taking the very course which the Committee were now invited to take. His right hon. Friend asked why the Government did not attempt to conciliate the Opposition; but the House was well acquainted with the amount of conciliation that existed on the part of the Opposition in moving Amendments to this Bill. He quite agreed with his right hon. Friend as to the inexpediency of having a Second Reading on every clause and section in the Bill. Would any Member of the Opposition get up and say that any of the Amendments discussed that night had been designed to improve the Bill? There would be no end to the discussion if the Committee were going to impose on the arbitrators every kind of restriction in cases which

it was absolutely certain they would never have to deal with it. It could not be done, and, moreover, the Government did not intend to try.

MR. A. J. BALFOUR said, it was evident that the right hon. Gentleman did not intend to answer the arguments that had been adduced in support of the Amendment, and, therefore, he could not help thinking that in making personal recriminations the right hon. Gentleman was endeavouring to occupy the time of the Committee unnecessarily. The hon. and learned Attorney General had, however, attempted to answer the arguments which had been put forward in support of the Amendment, and he would do his best as briefly as he could to deal with the extraordinary assertions which lay at the bottom of the hon. and learned Gentleman's contention. The arbitrators by the Bill were to take into consideration the circumstances under which the evictions took place. If circumstances of the district pointed, in the opinion of those three gentlemen, to the advisability of reinstating the tenant evicted by the Landed Estates Court, what was there to prevent them acting upon the *prima facie* case put forward? Why should they not consider the reasons the Land Court Judge had for ordering evictions? While the Bill said that the arbitrators were to consider a *prima facie* case, it compelled them to leave out of account considerations which the Government told the Committee in debate ought to govern them. Under these circumstances, the arbitrators would be obliged, by the very title under which they held office, to do what they might think was a gross injustice upon individuals and a great violation of the practice to which Parliament had in the most deliberate manner given its sanction. If the Government rejected this Amendment without further debate it would prove that they regarded all debate as intrinsically evil, and that the sooner they brought it to an end by legitimate or illegitimate means the better for them and for their Bill.

MR. HALDANE (Haddington) said, the right hon. Gentleman opposite had brought forward two arguments in support of Amendments, first upon cases in which the Lord Chancellor could exercise his jurisdiction, and secondly with regard to the circumstances under which

the arbitrators might think it advisable to take action. He should like to ask why under this Bill the Judge of the Landed Estates Court should be put in an exceptional position as compared with any Judge who exercised his functions with regard to any other Act he had to administer? This Bill was brought forward for a temporary purpose only; it was to be in operation for a period of three years from the date of its coming into operation, and was introduced in respect of a view of things that was not within the purview of existing legislation. If it was intended to amend the powers of the Judge of the Landed Estates Court that would have been done, but this Bill contemplated something different, and it appeared to him to be right that its powers should be extended. The right hon. Gentleman said the wording of the clause was such that the arbitrators would be bound to take into consideration the circumstances of the district, and, as he understood the right hon. Gentleman's argument, the circumstances of the district were sufficient to exclude it from consideration. As he read the section there were three things the arbitrators were to look to. First, whether the circumstances of the district was sufficient to warrant a re-instatement; secondly, the circumstances under which the eviction took place; and thirdly, whether there was any other circumstances to be considered. The arbitrators might look at one or all of these. The general principle was laid down that it was not desirable to narrow the class of cases the arbitrators had to consider, and that it was better to leave them with unfettered discretion. When that principle was accepted, and the Opposition still attempted to get in particular exceptions, how was it possible to meet those attempts except by repeating what had been said already? Strong epithets had been hurled against this tribunal; it had been called a tribunal of confiscators, and his right hon. Friend behind him preferred to call it the Inquisition, and, not satisfied with that, called it the Vehmgericht. But when they came to consider the arguments what did they amount to? One hon. Member said it was a Bill to evict the Land Commissioners, and other said it was a Bill to go back on the provisions of the Settled Estates Court Act of 1858. True, the Act of 1858 guaranteed titles;

but they were interfered with by the Act of 1881 and by the Act of 1887, passed by the Conservative Government. In the face of these facts it was unreasonable to advance the arguments now used.

Mr. BARTON thought the speech they had just heard the most remarkable they had yet had in the Debate. The Attorney General said the arguments brought forward were ridiculous because no tribunal, and especially this particular tribunal, would think of admitting these cases, but now the hon. and learned Gentleman showed they were the most reasonable cases, and the very ones that the tribunal ought to admit. This showed the value of the answers they had received from the Government, and he would ask on whom they were to rely; whether they were to rely upon the leading equity lawyer of Ireland or the leading equity lawyer of England? The leading equity lawyer in Ireland was of opinion these cases ought to be re-instated by Mr. Piers White, and the Attorney General said they were too ridiculous to be entertained by the arbitrators.

Mr. WYNDHAM (Dover) said, the absurdity of the argument against the Amendment could be shown in a single sentence. The hon. Member for Haddington (Mr. Haldane) had asked them why they should put the Judge of the Landed Estates Court in an exceptional position, and in his turn he would ask the hon. and learned Gentleman why they should put the head of the Court in an exceptional position, and treat him with less respect than they treated every new tenant? Under the Bill every new tenant, though he might pay a merely nominal rent, though the fact of his occupying the holding might produce in the district almost civil war, every tenant of that character had a right to override the decision of the head of this Court.

Mr. HALDANE said, the Landed Estates Court could put the tenant in exactly the same position as any other Court.

Mr. WYNDHAM said, the argument that it was better to leave unfettered discretion could only be used when they allowed them no discretion in the case of the 1,500 tenants. They adopted a graduated scale, having the new tenant at the top, with the Landed Estates

Court and the arbitrators at the bottom.

\*Mr. T. M. HEALY (Louth, N.) said, the Landed Estates Court never ordered these ejectments; they were brought by the Receiver without the Judge—at least in civil bill ejectments—investigating them. This was not the judicial decision of the Judge in any way. If the Receiver thought there was too much rent due he took proceedings, and if the Judge sanctioned those proceedings he concurred as a matter of course *ex parte*. Yet in this House it was suggested that a Judge of the land had thoroughly investigated all these matters; that he had satisfied himself judicially—first, that the rent was fair; and, next, that it was due. He said that the entire suggestion on which the Amendment was founded was wrong; it was a mere office transaction, without the judicial mind of the Judge being brought to bear upon it.

Mr. W. KENNY (Dublin, St. Stephen's Green) said, the speeches they heard just now from the Attorney General and the Chief Secretary showed what they were coming to. These gentlemen, after listening to the case made by the supporters of the Amendment, said that no rational being would make an order in such cases as those brought forward. If that were so, if they were cases in which no Judge exercising a judicial mind would make an order, then why not include them? He supported the Bill as it stood, upon the ground that the Bill as it stood would set up an appellate jurisdiction in respect of the orders made by the Judge of the Landed Estates Court; there would be a direct conflict of jurisdiction in cases in which the Judge of the Landed Estates Court had made an order for the eviction of a tenant. The hon. Member for Haddington (Mr. Haldane) had fallen into a complete error. The case referred to by his hon. and learned Friend had reference to the orders of two Judges—first, the order of Mr. Justice Monroe, as President of the Landed Estates Court, or the chief receiver, Mr. Murphy, giving leave to bring the ejectment; and, secondly, after ejectment brought, the formal order of the Judge of the Common Law Division. That was a wholly different state of things from that referred to by the hon. and learned Gentleman the Member for Haddington, who thought it was only a

conflict between the Judge who made the order for the eviction and the arbitrator. The case they were now setting up was that against Mr. Justice Monroe and his Court they were setting up an appellate tribunal without any appeal, because the Bill proposed to give no appeal from this Council of three. Possibly, at a later stage, it might be proposed that all three of the arbitrators were not to sit together, and that the order of any two might be sufficient. If that was so, were they coming to this: that an order signed by Mr. George Fottrell and Mr. Greer, who knew as little about the law as any solicitor he ever met—Mr. White was the only lawyer of the three. [*Cries of "Oh, oh!"*] Probably these two gentlemen, Mr. Fottrell and Mr. Greer, might know something about the practice and procedure, but they knew nothing about the law, and they might have Mr. Fottrell and Mr. Greer signing an order which would override an order of the Judge of the Landed Estates Court. He therefore objected to including within the scope of the Bill the class of cases which came within the category to which the Amendment referred.

Question put.

The Committee divided:—Ayes 113; Noes 171.—(Division List, No. 198.)

THE CHAIRMAN: The next Amendment in Order stands in the name of the hon. Member for Preston.

SIR R. TEMPLE (Surrey, Kingston): I have an Amendment on the Paper.

THE CHAIRMAN: The Amendment of the hon. Member is not in Order.

Mr. HANBURY (Preston) said, his Amendment was to leave out the words "the first day of May 1879," and insert "the 31st day of October 1882." It would be seen that this Bill as it stood dealt with the case of a tenant who had been absent from the farm for so long a period as 15 years, and yet it enabled that tenant with the consent of the arbitrators to go back. It was a distinct contravention of the existing law of the land. The Statute of Limitations at the present moment distinctly laid down that the right of recovery should not extend over a period of 12 years, yet in spite of that Statute of Limitations the Bill extended the period to 15 years, and by doing that the Government were adopt-

Mr. Wyndham



ing a retrograde step. In Stephen's *Commentaries on the Laws of England* it was stated that the Statute of Limitations under the old law was a period of 60 years. About 60 years ago that period was reduced to 20 years; and it had since been considered that 12 years, which was the present period, was the proper period of limitation. It was therefore plain that every time Parliament had dealt with this period of limitation it had curtailed it. But now the Government proposed to extend the period in the matter of evicted farms in Ireland; and if the Statute of Limitations—which was the basis of all property—was to be tampered with in Ireland, what guarantee had they that it would not be done generally throughout the United Kingdom? His object, therefore, was to bring the Bill in this particular into harmony with the ordinary law of the land. No doubt they would be told, on behalf of the Government, that the date, 1st of May, 1879, was the date mentioned in the Land Act of 1891. But it should be noticed that that date was only 12 years back from the time the Act was passed in 1879; and that, as that Act was voluntary, the circumstances of the two measures were entirely different. If the Act were voluntary, and the landlord and tenant could agree as to terms between themselves, there was no reason in the world why they should not go back 20 years, or 50 years if they liked. It might be said that this was not a legal claim on the part of the evicted tenants, but that it was an act of grace given them by Parliament. If it were a legal claim on the part of the tenants, then clearly the Statute of Limitations ought not to be done away with; but as it was an act of grace, was it not a monstrous proceeding to give the evicted tenants more than they would have if they had a legal claim? Then, if they were doing away with the Statute of Limitations with regard to real property, they were doing away with it with regard to personalty as well. He regarded the claim of the landlords for arrears of rent as personalty, and the Statute of Limitations prescribed a period of six years instead of 12 years in the case of personalty. But while the Government in the case of the tenant extended the period from 12 to 15 years, in dealing with the landlord and his arrears of rent, they actually reduced the

period from six years to two. Surely the same principle ought to be applied to both landlords and tenants alike. This was only one of the many injustices to the landlords which the Bill contained, but it seemed to him to be one of the most glaring; and, with a view to remedying it, he would certainly press his Amendment to a Division.

Amendment proposed, in page 1, line 6, to leave out the words "the first day of May one thousand eight hundred and seventy-nine," in order to insert the words "the thirty-first day of October one thousand eight hundred and eighty-two."—(Mr. Hanbury.)

Question proposed, "That the words proposed to be left out stand part of the Clause."

SIR R. T. REID said, the hon. Member had framed his argument on a fanciful analogy—an analogy which did not exist in form, and did not at all exist in substance. The Statute of Limitations said to a man—"You have been so sluggish in exercising your right; the Courts have been open to you so many years; and as you have not availed of them, it is time to prevent you from making up an old story by closing their doors." But the ground on which the Bill was based was that the evicted tenants could not get into the Courts. He thought the hon. Gentleman would see that there was a distinction. The hon. Member did not appear to be satisfied with that, but it really turned upside down the argument on which he had founded his Amendment. The date, the 1st of May, 1879, was taken from the 13th section of the Act of 1891. The Government believed it was a satisfactory date, for it was the commencement of the disturbed period, within which matters had taken place in Ireland which it was their policy to put an end to reasonably and fairly, if they could do so. They could not, therefore, accept the Amendment.

MR. CARSON said, the argument of the Solicitor General, if briefly examined, would show a most curious state of affairs under the Bill. The hon. and learned Gentleman contended that the Statute of Limitations said to a man—"You have been so sluggish in the assertion of your rights that we will not allow you to assert them after 12 years." In other words, if the tenants had rights

and did not assert them, they would be barred in 12 years; but because the tenants had no rights, the Bill said they would not be barred until after the lapse of 15 years. A more extraordinary argument to put before an assembly which was supposed to have some remnant of understanding left, even in the middle of July—and after a long and arduous Session—he had never heard. But it did not end there. The Solicitor General had said that even if a trespasser—a man with no rights—got into a holding 12 years ago the evicted tenant under the Bill would not be able to put him out; but because the person in possession happened to be the landlord who owned the place, and got into possession 14 years ago, the evicted tenant could put him out under the Bill. The proposal was to go back to 1879. The present Government were in Office from 1880 down to 1885—that was in the time when those evictions were fresh—and why did they not bring in a Bill to suggest even that the evicted tenants ought to be restored to their holdings? On the contrary, the right hon. Gentleman the Chief Secretary said in 1886 that it was about time that there was a Bill to prevent the tenants from robbing the landlords of their land.

**MR. J. MORLEY:** I never said anything about bringing in a Bill. I said it was a proper object of policy.

**MR. CARSON** said, he did not know how the proper object of policy could be carried out except by a Bill, for certainly there was no law to prevent the confiscation at the present moment. The words of the right hon. Gentleman were—

“The late Government, to their credit, had passed an Act to prevent the landlords from confiscating the property of the tenants. He did not think they would be able to deal satisfactorily with Ireland until they had passed some legislation to prevent the tenants from confiscating the property of the landlords.”

And the method which the right hon. Gentleman now proposed for preventing the tenants from confiscating the property of the landlords was to throw aside the Statute of Limitations and say, 14 years after the tenants had lost all legal claim to be restored to their holdings, that the landlord is to be turned out of his own property and the tenant is to be put back. The Solicitor General had said that the Statute of Limitations was intended to penalise the sluggishness of

creditors in asserting their claims. But if there was sluggishness in this instance where did it lie? It lay amongst the right hon. Gentleman the Chief Secretary and his colleagues, who had sat for years on the Treasury Bench whilst these evictions were going on, and never thought of introducing such a Bill as this until they became dependent upon the support of hon. Members below the Gangway, which showed that the policy of the Government was not due to the pressure of agrarian distress in Ireland, but was due to mere political and Party considerations. The hon. and learned Gentleman the Solicitor General was perfectly well aware—astute lawyer that he was—that in replying to the Amendment he was putting forward a most preposterous argument as to the meaning of the Statute of Limitations; and he therefore fell back on the old argument that the date was taken from the 13th section of the Act of 1891. But he asked the hon. and learned Gentleman did he really think there was any analogy in saying, as the 13th section of the Act of 1891 said to the landlord who had evicted a tenant 14 years ago, “You may if you like put the tenant back in possession again”; and saying, as the Bill said, “Whether you like it or not, you must restore the evicted tenant to his old position as tenant?” The arguments that had been put forward on behalf of the Government were merely intended to make a show of replying to the Amendment, for they did not give any sound reason whatever why the Amendment should not be accepted.

**MR. GERALD BALFOUR** (Leeds, Central) said, the absurdity to which his hon. and learned Friend the Member for Dublin University had reduced the argument of the Solicitor General was so complete that he noticed that not even the hon. and learned Gentleman himself could refrain from a kindly laugh at his own discomfiture. But the argument of the Solicitor General was open to another answer. The hon. and learned Gentleman had treated the Statute of Limitations as if it were a penalty against the sluggishness of persons who might have made a claim, but did not do so. He held that the Statute of Limitations was not intended in any way to be penal, but was intended to preserve the stability of property. It was not desirable that events which occurred so many years ago

*Mr. Carson*

as those mentioned in the clause should be revived for the purpose of transferring property from one person to another.

\*MR. T. M. HEALY said, that if it was a very lame argument to say, in defence of the clause, that the 1st of May, 1879, was the date fixed in the Land Act of 1891, he would like to know what about the Arrears Act of 1882, under which a tenant evicted might apply for reinstatement and insist upon it compulsorily?

MR. A. J. BALFOUR: No, no.

MR. T. M. HEALY said, he was glad to have that denial from the Leader of the Opposition, for it enabled him to put a question to the right hon. Gentleman. The clause in the Arrears Act was either compulsory or non-compulsory. If it were non-compulsory, he asked the right hon. Gentleman would he now consent to its re-enactment, with necessary modifications in matters of detail, in this Bill? He remembered that the Land Commission, who had to administer the Arrears Act, were called "confiscators" at the time; and the hon. Member for Guildford said they knew neither law nor facts, and were "a low body." He, therefore, took it that not much importance was to be attached to the attacks which the Opposition were indulging in now against the members of the present tribunal.

MR. BRODRICK (Surrey, Guildford) said, the hon. and learned Member for Louth had mixed up two irrelevant matters—

MR. T. M. HEALY: I always do.

MR. BRODRICK said, the hon. and learned Gentleman had taken the Arrears Act of 1882, which was a compulsory Act, but did not extend back 15 years, and had mixed it up with the Voluntary Act of 1892, which only extended back 12 years. He ventured to submit that the argument of the hon. and learned Gentleman had a tendency against the proposal they were now asked to adopt—namely, to go back 15 years and reinstate all the tenants evicted since then, and do it compulsorily. The proposal to go back 15 years was really the most ridiculous part of the Bill. It was absolutely impossible to turn out men who had been 15 years in possession of their holdings, and it would be more in accordance with the legislation that had taken place if the Arrears Act, which reinstated tenants compulsorily, was taken

as the starting-point for the present Bill. That would get rid of the difficulty about the Statute of Limitations. With regard to the statement of the hon. and learned Member for Louth that he had assailed the Land Commissioners, he admitted that he had held strong feelings with regard to the Land Commissioners, or rather with regard to the Sub-Commissioners; and all he had heard of the proceedings of the various Sub-Commissioners, and their divergence of opinion, justified him in saying—if he did say it—that some of them were ignorant of law and facts; but he did not believe he described them as "a low body." He was not in the habit of using that style of argument; and, indeed, the language was more like the language of the hon. and learned Member for Louth than of any other Member in the House.

\*MR. T. W. RUSSELL (Tyrone, S.) said, he thought the legal argument was entirely with his hon. Friend the Member for Preston. But he would point out that the date of 1879 was fixed upon in the 13th section of the Act of 1891, because that was the period at which the agricultural depression commenced to be felt in Ireland. That date was adopted without protest by the House, and he saw no reason for departing from it now. Indeed, if they were to deal with evictions in this way at all, he thought the tenants who were evicted because the House of Lords rejected the Compensation for Disturbance Bill had a greater claim on the House than those who had been put out since 1866; and, therefore, if there was a Division on the Amendment, he should support the Government.

MR. A. J. BALFOUR said, that for the second time in the course of these Debates the hon. and learned Member for Louth had contested his interpretation of the Arrears Act of 1882. He denied that the Arrears Act was compulsory at all in the sense that this Bill was compulsory. Under the Arrears Act a tenant who had no right of redemption in his holding could only get back to his holding with the consent of the landlord; but during the six months in which a tenant had the right of redemption or any prolongation of the time by the Court, he could get back compulsorily. He was, therefore, curious to know whether the challenge of the hon. and learned Member for Louth to the Opposi-

tion to agree to the insertion in this Bill of the reinstatement clause of the Arrears Act was a chance expression or deliberate policy on the part of himself and his friends?

\*MR. T. M. HEALY said, he had asked the question of the Opposition entirely on his own initiative. For his part, he considered the insertion in the Bill of this particular clause from the Arrears Act with the necessary modifications would be extremely valuable, as the recognition of the compulsory principle would mark a considerable difference in the attitude of the Opposition towards the Bill. With regard to the challenge of the hon. Member for Guildford as to his use of the phrase "low class" as applied to the Land Commissioners, *Hansard* of July 17th, 1882, recorded that the hon. Gentleman said a majority of the Sub-Commissioners neither knew law nor had regard for facts. He added—

"It was said that they had already got down to a low class of persons, and it was undesirable to go lower down. If it was not possible to find persons in Ireland to carry out the provisions of the Bill they ought to send over Englishmen to do the work."

SIR R. TEMPLE (Surrey, Kingston) said, the Solicitor General had told the Committee that the principle, if not the sole object of the Statute of Limitations, was to penalise those who had neglected to bring forward their claims in time. That was the principle, so far as it went, but it was not the object of the Statute of Limitations. Its main principle and object was to secure the safety of property; and it was properly and justly applicable to the present case.

\*SIR F. S. POWELL (Wigan) said, the clause, in going back to the remote period of 1879, would work great injustice. It would weaken the tenure in their property of the most deserving persons in Ireland through no fault of their own. Sometimes the landlords would be injured and sometimes the tenants would be injured, whether they were to blame or not; and therefore it was the duty of the Committee to take such opportunities as might present themselves to limit the time of the operation of the clause.

Question put.

The Committee divided :—Ayes 137 ;  
Noes 72.—(Division List, No. 199.)

*Mr. A. J. Balfour*

Notice taken, that 40 Members were not present; Committee counted, and 40 Members being found present,

MR. BARTON said, he desired to move an Amendment standing in the name of the hon. and learned Gentleman the Member for Dublin University, the object of which was to limit the operation of the Bill to evictions that had taken place before the Act of 1887. This was in some respects a most important Amendment. He would put it to the Government—and especially to the Solicitor General—was there to be any finality on this question? If all tenants evicted up to the date of the passing of the Bill were to be reinstated, there could be no reason why tenants evicted after the passing of the Bill should not be reinstated also. Suppose the Bill passed by the 1st November—a sanguine estimate—could anyone suggest a reason why a man evicted after that date should not be reinstated? The scheme of the Bill was that anyone evicted up to the passing of the Bill, at whatever date it passed, should be eligible for reinstatement. After that date there was to be no reinstatement unless by new legislation. That was most unjust and impolitic, because it must inevitably mean that, triennially or quinquennially or decimally, they would have to have a reinstatement Bill, because those tenants evicted after the passing of the Bill would have as good a claim for reinstatement as those evicted before. The Solicitor General would not say the present Government was not a just one. He would not argue that since they had come into Office they had allowed harsh evictions to take place, but that they were not likely to occur in future. Therefore, they should find a terminus—a point at which reinstatement should cease. In the Amendment the period of the passing of the Act of 1887 had been chosen. He submitted to the Committee, and hoped to convince the Solicitor General, that the tenant who had been evicted since the passing of the Act of 1887 had no right to reinstatement under the Bill. The Act of 1887 met a grievance that many tenants complained of—namely, that the rents fixed in 1882 and 1883 and 1884 were too high, by ordering a complete readjustment of rents. That was not the only benefit conferred by that Act. Under it every tenant who



was in possession at the time of the passing of the Act could obtain a stay of execution to prevent an ejectment, and was allowed to pay up his arrears by instalments. And that Act remedied another grievance. Hon. Gentlemen below the Gangway said that leaseholders were excluded prior to that from the benefit of the land legislation. In the Act of 1887, therefore, they were included. Therefore, he put it to the Solicitor General whether the Bill did not meet every grievance which had been suggested during the Debate? It would be most interesting if hon. Members below the Gangway would tell the Committee the grievances that had been suffered since the passing of that Act. Was the Chief Secretary going to attempt to carry on that just administration which he had hitherto advocated? Was he going to reinstate the men who had been evicted since he came into Office? If so, why? He well knew that these men had no grievance; therefore, let the right hon. Gentleman accept the Amendment and exclude from the benefits of the Bill tenants evicted under the Act of 1887.

Amendment proposed, in page 1, line 7, after the words "seventy-nine," to insert the words "and before the twenty-third day of May one thousand eight hundred and eighty-seven." — (*Mr. Barton.*)

Question proposed, "That those words be there inserted."

**Mr. DILLON** said, the hon. and learned Member had made an appeal to the Nationalist Members, and to that appeal he proposed to give an answer. He was asked on what ground it was claimed that tenants evicted under the Act of 1887 should have a right to reinstatement. The hon. and learned Member was not in the House when the Act of 1887 was passed, but he had had an opportunity of reading the Debates upon it. Did he forget that the Act was avowedly introduced by the Government of the day for preventing evictions in Ireland; did he forget that the machinery which for the first time appeared in an Act of that kind—machinery known as the bankruptcy clauses—was inserted for the purpose of preventing a number of harsh evictions which were pending at that time? And was he aware that

out largely owing to the protests of Liberal Unionist Members who met at Devonshire House? The right hon. Gentleman the Member for West Birmingham, who was responsible for that—

**Mr. A. CHAMBERLAIN** (Worcestershire, E.): You stopped the whole arrangement.

**Mr. DILLON** said, the hon. Member was at college in those days. What happened? A meeting was held of the Liberal Unionist Party at Devonshire House, and thereat a strong protest was drawn up against the bankruptcy clauses. It was perfectly true that they were objected to by nearly every Member for Ireland, but they were also objected to by the Duke of Devonshire and by the hon. Member's father, and the Liberal Unionists drew up a rival programme of their own. The result was, that after a long Debate in the House the whole of that machinery was dropped out of the Bill, and nothing was substituted to prevent harsh evictions. No one who took part in or had studied those Debates could doubt that the Tory and Liberal Unionist Government of the day were well aware that those evictions were likely to take place, and the duty was imposed upon it to prevent them; but instead of fulfilling that duty they allowed the opportunity to pass, and nothing was done. The hon. Member for Mid Armagh asked on what ground the Irish Members held that men were unjustly evicted since the Act of 1887 was passed. The Irish Members showed at the time that that Act was passed that there was a large number of men in Ireland who owed arrears of rent, and the fact of their having been proceeded against for excessive rents proved that they were in danger of harsh and unjust eviction. The evictions had been carried out, and Members of the Irish Party, speaking in that House, had repeatedly told Members that those difficulties would arise and that they would have to be dealt with. Those evictions had been going on ever since. Did the hon. Member know how slow these Land Acts were to bring relief to the tenants? Did he not know at the time the Act was passed there were many leaseholders who were in arrear? What provision was made to bring relief to those men? What about the men whose rents would have been reduced or were reduced in some cases by 40 per

cent., and who were afterwards evicted for non-payment of rent? What about the number of cases of persons proceeded against and decreed for arrears before the Act passed? They all knew these men were unable to obtain the benefit of this Act. The *prima facie* case for a reinstatement in the case of all those tenants would be this: that owing to delays in legislation in that House, owing to the want of proper provisions in these various Acts, including the Acts of 1881 and 1887, to secure that all tenants would have the power of availing themselves of the benefit of those Acts a large number of men had been unjustly, harshly, and cruelly debarred from the benefits which the great body of tenants had obtained. The claim of the Irish Members was an equitable claim, that these men were entitled to be put in the same position as the general body of the Irish tenants. They claimed, further, that these tenants had been robbed of a large property; that it should be restored to them as they were equitably entitled to it, and as it had been taken from them owing to a defect in the law.

SIR E. ASHMEAD-BARTLETT said, the hon. Member had spoken of "robbery," but he himself was mainly responsible for the sufferings of the tenants who had been evicted since 1887. He himself was the principal author of what was known as the Plan of Campaign. The House was perfectly well aware that very large sums of money were paid by the tenants evicted under it into what was called the War Chest, for which the hon. Member for Mayo and his friends were responsible. No account had ever been rendered of the expenditure of that money, and he thought they were entitled to ask for an account before they allowed the tenants who were evicted under the Plan to share the benefits of this Act.

VISCOUNT CRANBORNE invited the Government to reply to the observations of the hon. Member for Mid Armagh, and not to trust to the defence of the hon. Member for East Mayo, who had given a history of Irish land legislation which must have amazed all who listened to it. As he ventured to say on the previous evening, in his opinion the Act of 1887 went a great deal too far, and he was quite at a loss to see where the hardships complained of came in. The hon. Member for East Mayo, when

he made his speech, must have thought he was talking to Members who entered Parliament for the first time at the last General Election. It was all very well to say that the bankruptcy clauses were withdrawn at the dictation of the Liberal Unionist Party, but he and his friends never suggested anything in their place. One of the chief objects for which that Act was passed was in order that the rents fixed under the Land Act of 1881 might be reduced, as many people considered they were too high, having regard to the depressed condition of agriculture. Since that date, at any rate, no rents had been fixed by any Act of Parliament, and, therefore, every tenant evicted since that date had been evicted solely because he could not or would not pay a fair rent. He ventured to say that, under the circumstances, these tenants were not entitled to receive any benefit under this Bill. He would make an appeal to the Government. They had left the defence of their policy in the hands of the hon. Member for East Mayo, who had given them a perfectly erroneous history of the land legislation of the last few years. Surely it was only reasonable that the Committee should have from some Member of the Government some more reasonable explanation.

MR. A. CHAMBERLAIN said, he did not think that the Committee had got at the truth about the bankruptcy clauses. The hon. Member for East Mayo had given them a mere fanciful sketch of the subject, and had attacked him personally for his inexperience and youthfulness. That he did not mind, but he did think he had a right to complain of the attack made on the conduct of his father in the last Parliament.

MR. DILLON: I made no attack on the conduct of the right hon. Gentleman the Member for West Birmingham; I merely said he was present at the meeting at Devonshire House which protested against the bankruptcy clauses.

MR. A. CHAMBERLAIN said, he was at a loss to understand why the hon. Member said the Liberal Unionists had secured the rejection of these clauses. He challenged the hon. Member to deny that the whole of the Irish Members took the same view. Although he might plead guilty to youthfulness and inexperience, he would point out that some Members grew older without growing



wiser. Although he was not present at the Debates in the House he had read the Reports of them, and he thought he could supply the defects in the hon. Member's history. The bankruptcy clauses were in the Bill as originally introduced; exception was taken to them by almost all the Irish Members, and they were dropped in deference to the generally expressed wish of the House. Then came a very interesting chapter in the history which seemed to have escaped the memory of the hon. Member. After the clauses had been withdrawn the right hon. Member for West Birmingham made a suggestion that it would be desirable that the insolvent tenant should have the opportunity of having all his debts—even those due to his tradesmen and to the gombeen man—dealt with on the same footing as the arrears of rent. This view was approved by the present Chancellor of the Exchequer and the then Chief Secretary for Ireland; the present Leader of the Opposition expressed his willingness to accept it, if the Irish Members would approve. But the hon. Member for East Mayo would have nothing whatever to do with it. If, therefore, any blame attached to anyone because this question was not dealt with as far back as 1887, it was to the hon. Member for East Mayo, who now took advantage of the difficulties he had himself caused to make a further demand on the generosity of the House of Commons.

SIR R. T. REID said, anyone who had heard the remarks of the hon. Member for Rochester would conclude that tenants existed on this earth solely for the purpose of making rent for their landlords. If so, why were the three Acts of 1881, 1887, and 1891 passed, the express object of which was to relieve the tenant? If it was fair to blame the Conservative Party for passing the Acts of 1887 and 1891, possibly it would be equally fair to blame the present Government for having passed the Act of 1892. The noble Lord seemed to think that these tenants evicted after 1887 were solely to blame for their present unfortunate condition. He thought, however, the blame was to be found elsewhere, for up to the year 1891 many of them were in such a position that no one could well go to their assistance and relief.

MR. GERALD BALFOUR (Leeds, Central) congratulated the Government on having attempted at last to give some satisfactory reply to the arguments of his hon. and learned Friend. The Solicitor General had commented on the remark of the noble Lord the Member for Rochester, and had suggested that he had spoken of the tenant as merely a rent-paying machine. He could tell the hon. and learned Gentleman there was not a more humane man in this House.

SIR R. T. REID: If I said anything personally offensive, I withdraw it. It was far from my intention.

MR. GERALD BALFOUR said, he readily accepted that explanation. As had been pointed out for the last 14 years, Acts of Parliament had been passed in order to assist the Irish tenant in these times of agricultural depression. But that depression had equally affected England and Scotland. In those countries, however, it had been met by means of voluntary arrangements between landlords and tenants, and it might have been the same in Ireland had it not been for compulsory legislation. What chance was there under the present Bill of ending the difficulties of the question? After the Act of 1887 no such Bill as the present one should ever have been brought forward, for the Irish tenants had no legitimate grievances that called for State intervention. The hon. Member for East Mayo had, indeed, mentioned two—one of which, he suggested, would have been provided against had not the bankruptcy clauses in the Bill of 1881 been rejected.

MR. DILLON: What I said was that in 1887 the Government recognised that there was a grievance for which a remedy was required. They only provided a bad remedy, and when that was withdrawn they produced no other.

MR. GERALD BALFOUR: And the hon. Member also proposed no other?

MR. DILLON: I did certainly.

MR. GERALD BALFOUR: I venture to say that this is an imaginary grievance.

MR. DILLON explained that the difficulties he had alluded to would not have been removed even if the bankruptcy clauses had been adopted. As a matter of fact, he was never in favour of those clauses; but he thought they were fully entitled to assume that, as the then Government considered those grievances sufficiently serious in their character to

require them to introduce the bankruptcy clauses into the Bill, and those clauses were not adopted, then the Government ought to have provided some other means of meeting the hardship that they by their conduct allowed existed.

MR. GERALD BALFOUR (Leeds, Central) said, that the Act of 1887 provided for any legitimate grievance of the tenant on the score of execution brought against him in respect of any debt. Was it to be maintained also that tenants who were evicted in 1887 were to be brought within the scope of the Bill because it gave relief to leaseholders under £50 a year? He could not imagine that it was the serious intention of the Government to put forward such a contention as that. This was a serious and important question, and unless the Government could show that this Bill was likely to be final, he thought the strongest possible argument was afforded in favour of the Amendment.

MR. SEXTON said, that with regard to the bankruptcy clauses of the Act of 1887, they never could have been accepted, because they proposed to put the ordinary creditor on fundamentally the same terms as the landlord. The case, of course, was that the ordinary creditor had sold his goods at market value and was paid for them, and was entitled to be paid for them. That was not the case of the landlord, and it would have been scandalously unjust to compel an ordinary creditor who had sold his goods to take the same dividend as a landlord would have to take by reason of the decreased value of the land. He saw in that House English landlords who had for years past been giving reductions to their tenants amounting to 40 per cent. without any pressure, and without any inducement beyond their own sense of justice. If they had resisted the claims of justice, and if it had been necessary to take steps for the relief of English tenants, would anybody in that House suggest that Englishmen, in order to obtain abatements, would have to declare themselves bankrupts? If anyone had made such a proposition in regard to Englishmen public opinion would have scouted it out. He should have thought that the speech of the hon. Gentleman who had just sat down would have been more valuable if he had had some knowledge of the letter of the law and the system of administration. Did

the hon. Member know that where Section 30 was applied it became a matter of bankruptcy, and that County Court Judges in Ireland were in the habit of getting the tenant to file an affidavit of his debts and assets, and to show who his creditors were. Did the hon. Gentleman think that procedure of that kind, which put the tenant to expense and humiliation, and tended to utterly despoil and shatter his credit, was a mode of administration likely to bring relief. Could he deny that Section 30 did not bring relief to the tenant? and it had been administered in such a way by the County Court Judges in Ireland that the tenants could not take advantage of it. They had heard a good deal about the beauties of the Act of 1887. The first adjustment of rents under the Act of 1887 lasted for only three years. After 1889 the tenants were left in the lurch because of the increase of prices; and their condition had been just as bad since that time as it was before. Why had nothing been said about Section 7? Why had not the hon. Gentleman said anything about the clause introduced by his distinguished brother? Until the Act of 1887 was passed a tenant could not be evicted from his holding except by physical force. A tenant so evicted knew exactly the position in which he was placed—that he had six months in which to redeem, and that if he did not do so then his tenancy had determined; but by the Act of 1887 a policy of stealth and surprise was substituted. He lost his tenancy merely through the service of a registered letter, and up to this very hour there were tenants in Ireland who did not fully appreciate the legal effect of the service of a registered letter. The tradition of centuries was in their blood, and they still thought that unless the Sheriff came and put them out they had every right in their homes. The most painful function that could fall upon a Judge of the Rent Courts was to endeavour to make the peasants of the West of Ireland understand, when they came into Court to have a fair rent fixed, that by reason of the service of the registered letter under the Act of 1887 they had long ago ceased to be tenants. There were hundreds and thousands of tenants in Ireland who had lost their tenancies since 1887 by reason of this process of service by registered letter, and who had been injured as seriously as

*Mr. Dillon*

any tenants who had been forcibly evicted.

COLONEL SAUNDERSON (Armagh, N.) said, he must express his amazement at hearing the hon. Member advocate the system of eviction by Sheriffs. Never in his wildest moments had he anticipated such a thing. It appeared that this was another injustice to Ireland. The Irish tenant had during long centuries acquired such an affection for Sheriffs and evictions that the great defect of the Act of 1887 was that it did away with those interesting visitations which were so much missed and deplored by the infatuated Irish tenant. What Ireland wanted was finality in this legislation. Over and over again he had heard statesmen declare, as the merit of a particular scheme of Irish legislation, that it was to be a final one; but it would now appear that there was to be a final settlement of the Irish question about every two years. Last year the hon. Member for North-East Cork said that the man of all others who was hated by the Irish peasantry was the landlord. He knew something about Ireland, and he declared that the gombeen man was hated more than the landlord; and because the bankruptcy clauses would inflict an injury on the shop-keeper and the gombeen man they were rejected as an injury rather than a benefit. He acknowledged that the Chief Secretary had put himself to much trouble to gain a personal knowledge of Ireland. The right hon. Gentleman last year undertook a journey to the West of Ireland to see for himself what the condition of affairs was. Accompanied by a County Inspector he went on a tour of inspection. The first thing he saw was a man working in a field, with some policemen sitting on a bank with rifles, and on asking who the man was, he was informed it was a gentleman working on an evicted farm. Further on he saw another gentleman also protected by policemen, and, on inquiry, was told it was a Mr. Blood. Having had an interview with Mr. Blood, the right hon. Gentleman passed on, and then he met a carriage and pair, and asked who the occupant of the carriage was. "Oh," was the reply, "that is one of the evicted tenants." This information had such an effect on the right hon. Gentleman's mind that he immediately returned to Dublin. Now, the only virtue of this Amendment was that it

had some flavour of finality about it. Nothing would make the Bill a good Bill, but the Amendment would make it a less bad Bill.

MR. J. MORLEY said, there was only one remark in the hon. and gallant Member's speech which bore in the least upon the subject they were discussing. He admitted that he had not studied the Amendment.

COLONEL SAUNDERSON: My right hon. Friend misunderstood me. What I said was that I thought if the Amendment were accepted it would be a less bad one.

MR. J. MORLEY said, that the hon. and gallant Gentleman talked about finality, and seemed to think that this Bill was introduced to settle the Irish question. He could not conceive how the hon. and gallant Member could impute to him so ridiculous a notion as that the Bill was intended as a settlement of the Irish question. There was an old historian named Giraldus Cambrensis, who said he thought the Irish question would be settled a short while before the Day of Judgment. Personally, he did not take so despondent a view; but still he did not believe the Irish question would be settled so long as this House, and more especially this Parliament, which comprised another House far more ignorant and prejudiced on Irish questions— [*Loud Nationalist cheers, which drowned the conclusion of the sentence.*] With regard to the particular Amendment, if the promoters of the 13th section of the Act of 1891 thought it desirable to include in the relief extended by that section a certain class of evicted tenants, why should not the same class of persons be included in the present measure of relief?

\*MR. T. W. RUSSELL said, he was not going to vote for this Amendment, but he wished to know where this thing was to end? Did the Chief Secretary propose to abolish ejectment for non-payment of rent altogether? That was the logical outcome of the matter. He saw no reason why the evictions he (Mr. Russell) had described should not be taken into consideration as well as previous evictions.

MR. J. MORLEY: The hon. Member might just as well ask me how long I am going to be Chief Secretary. If he will answer that question, I will answer his.

MR. FISHER (Fulham) said, he had heard no speech relevant to the Amend-

ment. They had been trying to bring the scope of the Bill within its title, and they were trying by the Amendment to bring the Bill within the Report of the Commission on which this legislation was founded.

MR. CARSON rose, when—

MR. KILBRIDE rose in his place, and claimed to move, "That the Question be now put"; but the Chairman withheld his assent, and declined then to put that Question.

Debate resumed.

MR. CARSON said, that he had put the Amendment on the Paper in order to test the sincerity of the statement that if the late Government had brought in the Act of 1887 at the time suggested by Mr. Parnell, then the necessity for this Bill would never have arisen. Prior to the Act of 1887 there were a large number of tenants who did not come under the Act of 1881, and there was a special grievance in relation to those holdings which had not been dealt with by the Legislature. What did the Act of 1887 do? [*Cries of "Divide!"*] He did not think hon. Gentlemen below the Gangway would gain much by crying "Divide." The Act of 1887 not only provided that leaseholders should come in and claim the benefits of the Act of 1881, but it provided a most important and material clause. The 13th section provided that where proceedings were taken for the recovery of holdings for non-payment of rent the Court had power, if non-payment was not through the conduct, act, or default of the tenant, to stay proceedings or order the arrears to be paid by instalments, so that by going beyond that Act the Committee were asked to enact that the tenant had a right to be restored to his holding, even where eviction had taken place from his own "conduct, act, or default." He saw very little use in passing an Act of Parliament to give relief of this character, and which gave the fullest power for granting relief, if immediately afterwards they were to say—as they were trying to say by this Bill—that notwithstanding the fact that such conduct had arisen through the tenant's own conduct, act, or default, he should be reinstated in his holding. The hon. Member for South Tyrone had asked where was this to stop, and the Chief Secretary had said,

"After all, this is only a temporary phase of the Irish question?" How did the right hon. Gentleman know that it was a temporary phase of the Irish question? Had he read a recent speech of the hon. Member for East Mayo, in which that hon. Gentleman had declared that whenever the Tory Party again came into Office there would be a worse land agitation in Ireland than had ever been known before? In the face of that threat were they to be told that this Bill was merely to deal with a temporary phase of the Irish question? All he could say was perhaps it would be necessary for hon. Members opposite, when they regained power after such agitation as was predicted, to bring in another Bill of the same character as the present. But, above all, the arguments that had not been answered in this case were made over and over again in the Debate—namely, that they were not proposing any new land legislation that would in the future prevent these evictions, and if it was admitted that by not so doing no new land agitation and protection for the tenants was necessary, they would be fixing a proper limit to the measure by applying it to cases prior to the Act of 1887.

MR. J. CHAMBERLAIN rose, amidst cries of "Divide!"

MR. FLYNN rose in his place, and claimed to move, "That the Question be now put;" but the Chairman withheld his assent, and declined then to put that Question.

Debate resumed.

MR. J. CHAMBERLAIN: I constantly observe, without being quite able to explain, the anxiety of hon. Members below the Gangway opposite to divide just on the stroke of 10 when the pairs are due. Notwithstanding the impatience of hon. Members there is still a word or two to be said upon this Amendment before the Committee goes to a Division upon it. I wish very much to impress upon the right hon. Gentleman the Chief Secretary the difference between the 13th clause of the Act of 1881 and the present Bill. The right hon. Gentleman says he is fully entitled to say that that clause dealt with all the classes of tenants, even with those whom we seek to exclude from the Bill. But, then, he will leave out of sight the fact that inasmuch as that clause is altogether per-

*Mr. Fisher*



missive no difficulty whatever could arise in any of these extreme cases. Our answer, if we had been attacked by an Amendment similar to this now proposed, would have been that no such case could by any possibility have arisen, because all the persons interested in preventing it would have had the power of veto. The landlord, the sitting tenant, and everybody else had to agree before anything whatever could happen. But in this case it is a totally different thing. The only persons who can pronounce a veto on the reinstatement of the tenant under the Bill are the arbitrators who will be established under the Bill. An hon. Member says, "And the sitting tenant." We will discuss the sitting tenant hereafter. I do not want to take up time prematurely by discussing that important matter. But I would say that the position as to the sitting tenants or as to the heir having the right of veto given to them is perfectly illusory. It is a right, as I have been told by the organ of a considerable Party in Ireland, which is tempered by the blunderbuss. It does not seem to me that there is any value in a right which is tempered by the blunderbuss by exasperated competitors. Therefore, there is, as I say, a great difference in principle between Clause 13 of the old Act, which was purely voluntary—which allowed everyone to object and to establish proceedings *ab initio*—and this clause which does not allow the parties interested to interfere and leaves the final decision absolutely in the hands of the tribunal it is proposed to appoint. It is not fair to expect the House of Commons or the Irish people to have unlimited confidence in a tribunal of three persons, who, although they may be very respectable gentlemen, are certainly not archangels. It is a little too much to expect that we should have absolute and unlimited confidence in them when they are called upon to deal with extremely complicated matters bearing upon the interests and the property of a large section of the Irish people. I think the absurdity of asking the House to trust these gentlemen in the matters we have been discussing is clearly shown by the divergence of opinion amongst the supporters of the Bill. We have had in the course of the Debate statements made by supporters of the Bill in absolute contradiction to the views taken by the Government, and

even in absolute contradiction to the views of hon. Gentlemen below the Gangway opposite. Well, Sir, when lawyers disagree, how are we to expect that these three gentlemen—these three black swans, as I have before called them—will always be able to come to a decision if they differ? It is certain that cases will be brought before them, and will be decided by them, which the right hon. Gentleman the Chief Secretary has admitted ought to be excluded from consideration. So much in regard to the comparison which my right hon. Friend has made between the clause of the Act of 1891 and the present Bill. Then I go on to say that I go further than my hon. Friend behind me. I intend to support the Amendment, because I do think it is desirable to have some kind of test by which this constant interference is to be determined. My right hon. Friend proposes that we should deal with all cases of eviction which occur down to the passing of the Bill. Well, what reason is there for taking that particular period? What possible ground of distinction can there be between a person evicted before the end of 1894 and a person evicted at the beginning of 1895? You have absolutely no finality whatever, supposing you take the Act of 1887. I do not want in particular to defend that Act, but if you should take it you would have a logical resting place. You could say, "We have taken that period, because, until that Act was passed, redress was not given to certain classes of grievance. After that redress was given, we admit there ought to be some finality in this legislation." And here we take our stand; but just think what this House is asked to do. I will not say this Government, but I will say that this Legislature has again and again, for a considerable period, been asked to pass Acts as messages of peace to the Irish people. No sooner have we passed an Act than we have been asked to pass another. When that is pointed out, hon. Gentlemen opposite reply—"That is because you did not take our advice." Remember, those hon. Gentlemen have always supported these Acts, but they have always reserved to themselves—what shall I call it, not exactly a *locus penitentiae*, but a place, or opportunity—for urging a further claim. Even with the Home Rule Bill that is the case, and that will be the case to the end of time.

I do not care if you were to pass a new Bill providing that rents should not be claimed at all in Ireland. That would not satisfy hon. Gentlemen opposite. They would still say that there was something reserved for a future opportunity. That may be all very well for hon. Gentlemen opposite. It may assist them to pose before their countrymen as going beyond British Representatives; but it is not a position to be taken up by any Government that they should attempt to cure social and administrative difficulties by raising up a new crop of difficulties; and when they had the frank admission of hon. Gentlemen opposite that this Bill is not to be a final Bill, I say the time has gone by when they can come forward and pretend that they are consulting and taking Irish opinion, for the fact is that they themselves do not go as far as Irish opinion. They ought to form their own opinion and stick to it. As it is, we have had it clearly shown to us in the course of these Debates that the opinion of the Government and that of the Chief Secretary is that a certain class of cases ought to be excluded by the arbitrators, and the only reason for not excluding them by the Bill is that Irish Members will not consent, and say it is no use making these constant concessions to hon. Gentlemen opposite when even then you cannot claim that you have arrived at a position of finality. If the Government would have the courage of their convictions, and in this matter tell us what it is they are dealing with—with social and administrative difficulties brought about by the Plan of Campaign, and that even though they did not approve of the Plan of Campaign, they are anxious in the interest of Ireland to do something to prevent the evil effects of that conspiracy—then I think on grounds of national interest and in the interest of Ireland we should go a certain way with them. When, however, they yield to pressure and introduce a Bill which everyone in the House knows—and everybody, even hon. Gentlemen opposite, know—is only the beginning of further agitation, then I do think it is time for us to make some sort of protest.

**MR. J. MORLEY:** I do think that the right hon. Gentleman, who, as everyone knows, is one of the most clear and able and lucid speakers, has seldom made a speech in this House which has shown a greater departure from those qualities.

*Mr. J. Chamberlain*

He has made what is, in fact, a Second Reading speech. A few sentences, it is true, he devoted to the Amendment before the House, but the larger part of his observations had no more bearing upon the particular proposal before us than it had on any other of the 279 Amendments on the Paper. My right hon. Friend admits that if this were a social and administrative difficulty which we ask the House to give us special powers to deal with, he and hon. Gentlemen like him would be inclined to go a considerable way with us. The point we are now upon is the area of the social and administrative difficulty. My contention is that the area of the difficulty appeared to gentlemen opposite when they were in power to come down to tenants evicted as late as 1891. Two or three years have since passed by, and we bring the area down to the present day, but both gentlemen opposite and ourselves carry it beyond 1887, which is the limit fixed by the Amendment. I will not say anything more about the Amendment, but I will venture to call attention to the proceedings on the Amendment. The Amendment was put down in the name of the hon. and learned Member for the University of Dublin (Mr. Carson). He chanced not to be present, and it was moved in a pretty full, elaborate, and learned speech by the hon. and learned Member for Armagh (Mr. Barton). Various gentlemen have discussed it. My hon. and learned Friend the Solicitor General (Mr. R. T. Reid) answered the Mover of the Amendment in a speech more full, more elaborate, and quite as learned. Then comes down the hon. and learned Gentleman (Mr. Carson) who ought to have moved the Amendment himself. I make no complaint of his absence; to use a memorable phrase of his Leader (Mr. A. J. Balfour), he was probably "more agreeably employed." He comes down, and after we are all satisfied with the discussion on the subject, he endeavours to revive our languid interest. Then my right hon. Friend the Member for West Birmingham (Mr. J. Chamberlain) enters into a more full and copious discussion than anybody else, and roams—I do not like to say rambles—over the whole field of the Bill. That is the method in which the discussion of this Bill is being conducted, and probably it will necessitate some steps being taken by the Government.



Mr. WYNDHAM (Dover) said, he could not support the Amendment.

Question put, "That those words be there inserted."

The Committee divided :—Ayes 103 ; Noes 158.—(Division List, No. 200.)

Mr. HANBURY : The Amendment I have upon the Paper is in line 7, to insert after the words "seventy-nine," the words "and the former tenant thereof is now resident in Ireland." There are three very good reasons which will, I hope, commend themselves to the common-sense of the Government for introducing these words. In the first place, these words are adopted from the Reference to the Mathew Commission. It was into the facts in reference to tenants of this class that the Commissioners were directed to inquire. The Reference runs in these terms :—

"Whereas we have deemed it expedient that a Commission should forthwith issue to inquire into and report upon estates in Ireland where the tenancies of a holding or holdings have been determined since 1st May, 1879, and in respect to which claims to be reinstated have been made by tenants evicted therefrom and non-resident in Ireland, &c."

Surely the inquiry by the Commission is the whole basis of this Bill, and I think we shall be on much safer ground if we really follow the Reference to that Commission. Undoubtedly the Commissioners were directed to deal with evicted tenants now resident in Ireland. These were the exact words of Reference, and where we have so little evidence in support of the Bill we ought at least to keep as much as possible to those cases which formed the subject of evidence. In addition to this reason for the limitation, I ask the Committee to remember that the plea of hon. Gentlemen below the Gangway in support of this Bill, and strong I have thought it to be, is the plea of pity. We are told that these unfortunate tenants live within a few miles, and often within sight, of their old holdings, and that it is very hard, and adds to the bitterness of their lot to live year after year close to the homes from which they have been evicted. A touching plea, I admit; and, further, it has been strongly urged by the hon. Member for Mayo that there are 9,000 or 10,000 women, children, and relatives of these evicted sufferers. These

are the arguments mainly relied on in support of this Bill. I do not by my Amendment require that the tenants shall be living near their holdings; I only follow the words of the Commission's Reference and say "resident in Ireland." I do not want men to come from America, Canada, or the Colonies, and claim to be restored to farms they may have left 15 years ago. I would limit the operation of the Bill to evicted tenants actually resident in Ireland. It has been pleaded that families of evicted tenants are in a condition not far removed from starvation, and I fear this must be so; and it is to the relief of such the resources under the Bill should be devoted rather than to those who have found employment in the United States or the Colonies. These last are in a totally different position, and on their behalf the plea of pity does not operate. Surely it is not good policy to tempt these men to give up such employment as they may have been able to obtain elsewhere by an offer to reinstate them in their more or less miserable holdings in Ireland. I am not sure but that it might give rise to very serious complications with the Government of the United States, and certainly it would be well to avoid all questions of domicile and naturalisation; but such questions might arise if we allowed domiciled citizens of the United States to come back and claim, with State assistance, the right of reinstatement on the soil of Ireland. One great objection to this Bill is the fact that owing to the great number of tenants who may apply for reinstatement it cannot be seen how the Commission can make any of their orders absolute until all the petitions have been sent in and until years have elapsed; but I do see that if we limit the applications to residents in Ireland then the year might be considerably shortened, and the greater part of two years would remain for the arbitrators to deal with the cases before them. From every point of view the Amendment is desirable, unless it is the fact that the Bill is designed to bring back what I will venture to call a very turbulent and dangerous element of the population which left Ireland for the United States many years ago. A very different thing this to assisting to return to their farms those unfortunate men who since their eviction have, to their credit, lived peaceably in Ireland,

Amendment proposed, in page 1, line 7, after the words "seventy-nine," to insert the words "and the former tenant thereof is now resident in Ireland."—(*Mr. Hanbury.*)

Question proposed, "That those words be there inserted."

SIR R. T. REID: The hon. Member has founded his Amendment on the Reference to the Mathew Commission, but he has not touched upon the recommendations of that body after they had heard and considered the evidence. I think that if, instead of attaching so much importance to the terms of Reference, he paid more attention to the findings of the Mathew Commission, he (the hon. Gentleman) would see that they cover most of the ground occupied by the Bill.

MR. HANBURY: The Mathew Commission were limited to tenancies of this kind. The claims of evicted tenants now resident in Ireland was the entire limit of their Commission.

SIR R. T. REID: That does not seem to me to conclude the matter or to offer any very special argument in support of what the hon. Member wants to do. He wants to draw a line whereby no person not now, at the passing of the Act, resident in Ireland shall receive any benefit under the Act. That line of demarcation does not seem to me to be consistent with justice or expediency. I can imagine many cases in which such exclusion would operate unjustly. An evicted tenant may have died, but he may have a representative whose right and title ought not to be affected by the fact that he resides, for example, in England. The hon. Member has recognised that natural sympathy we all must feel for the man who in wretched circumstances sees day by day others in occupation of his old home, but there may be other cases quite as meritorious. A man having suffered an unfair or inconsiderate eviction may have been constrained by necessity, instead of settling down near his holding, to come to England seeking a means of livelihood. I do not see why this praiseworthy effort should not command our sympathy or disentitle him to any benefit this Act would give. It seems to me that the case the hon. Gentleman has put, that of a man coming back from America, is one that could be readily dealt with by any sensible person, and such cases may well be left to the

judgment of the sensible and distinguished men who are to be made arbitrators by this Bill. But I think the hon. Gentleman must have been driven to the last extremity for argument when he suggested that difficulties might arise out of the question of domicile. I do not desire to be dogmatic upon any point of International Law, and the more one knows of that subject the less will be the inclination to dogmatise, but I think I can assure the hon. Member that by no possibility can any unpleasantness such as he suggests arise under the clauses of this Bill.

COLONEL SAUNDERSON: The hon. and learned Gentleman has, I think, proved one thing at any rate—that however able a lawyer he may be he does not know much about Ireland. Now, I wish to point out, in regard to the Amendment proposed by my hon. Friend, that you have already decided that in cases where two claimants appear on the scene of action, then these distinguished and amiable gentlemen, these "sensible persons" who are to determine the fate of Irish tenants and landlords in the future, are to have the power of dividing the farm into two, by way of establishing peace in Ireland. That has already been done. Now, I have some acquaintance with the origin of Irish fights and disagreements that must occasionally occur, and I venture to mention a fact of which you, Sir (Mr. A. O'Connor in the Chair), are no doubt perfectly aware, that most of the crimes in Ireland, apart from what we call agrarian crimes, arise out of claims set up for some piece of property. Now you have determined that—just by way of establishing peace—rival claims may be settled by division.

MR. FLYNN (Cork, N): On a point of Order, I submit that the hon. and gallant Gentleman is not speaking to the Amendment but to a former Amendment about two tenants.

THE CHAIRMAN desired Colonel Sanderson to proceed.

COLONEL SAUNDERSON: I am absolutely in Order, and this is to the point. We are now discussing whether the representative of an Irish tenant may come back from America and claim a farm. There may be two claimants, possibly three, but I take two. Of these two, one may be an Irish tenant who was evicted say five years ago, and the

claimant from America may represent a tenant evicted 14 years ago, and these two would-be Irish tenants have to set up their claims before this remarkable tribunal for the division of a farm on which probably there will be only one house. Whether the happy families are to live in one house or not we are not told, but I ask the Committee to consider for a moment whether an arrangement of this kind will tend to the peace, prosperity, and happiness of Ireland? It would be a much more sensible thing, viewing the peculiarities of the country, if you were to introduce into the Bill a clause providing that the survivor shall have the farm. You allow the claim of a representative who need not be son or even daughter of the former tenant—it may be widow, nephew, cousin, or distant relative—who may come over to Ireland after the lapse of many years and put in a claim to divide a farm in Clare, or some other peaceful county; and these three gentlemen are to decide whether the tenant who was turned out many years ago, or perhaps his widow, coming back from America, shall divide the farm and live in the same house with another. Is not making a proposal of that kind trifling with the House? Can anything be conceived more ridiculous or absurd? And then we hear the hon. and learned Gentleman, in eminently Parliamentary and legal phraseology, speak on the condition of affairs in Ireland of which he absolutely knows nothing! My hon. Friend proposes that claims shall come only from men resident in Ireland who are known, and whose relationship to the former occupant of the farm may be established; but here you propose to allow a representative to come from America, Australia, New Zealand, and the uttermost parts of the earth and, I presume, upon his *ipse dixit*, to represent a former tenant who resided on the farm 14 years ago, and to claim the attention and decision of this wonderful tribunal you are setting up. I should like to hear some hon. Member below the Gangway acquainted with the affairs of Ireland prove how a proposal of this kind will tend to the pacification of my country. I venture to say that nobody who knows anything of Ireland can defend the proposal of allowing representatives of tenants to come from nobody knows where, and put in these claims which it will be impossible to refuse, otherwise, I

suppose, you will have to establish Commissions in America and elsewhere to determine who is the representative of the original Irish tenant. My hon. Friend makes a very sensible proposal, which I do not see how the Government can refuse. Of course, we know they will refuse it, for they have practically announced that they do not intend to accept from us any Amendment whatever, and their reasoning is very simple. They say, "You have passed the Second Reading of this Bill; you have swallowed the principle of the Bill, and any Amendments you propose to us we look upon as antagonistic to that principle you accepted on the Second Reading." I never before heard such an argument addressed to a Committee of the House of Commons by any Government. The right hon. Gentleman imagines we have wasted the time of the House; but allow me to point out that if we have been unduly long, and if our speeches have seemed to be too frequent—

THE CHAIRMAN (Mr. A. O'CONNOR): I would call the attention of the hon. and gallant Member to the fact that the Question before the Committee is the insertion of certain words, and he must deal with that.

COLONEL SAUNDERSON: To the best of my ability I have dealt with those words, but I bow to your decision, Sir, and pass on to say this: This Amendment of my hon. Friend has not been met by argument, and it is a proposal to which I cannot see why hon. Members below the Gangway should object. It will not be popular in their constituencies to provide that a nephew, cousin, uncle, aunt of a former tenant may appear on the scene from America after 14 years have elapsed, and claim reinstatement. My hon. Friend would prevent what undoubtedly would become the source of an addition to the social confusion in Ireland, and I am sure that without such Amendment the clause will be one of the most unpopular things this House could effect by legislation. To avoid further increase of social confusion in Ireland and possibly bloodshed, I support this proposal of my hon. Friend, and it ought to have the support of hon. Members below the Gangway, for I am certain it would be popular among their constituents. I feel convinced that when the Government realise not only the simple character of

this Amendment, and the extent to which it will prevent confusion in Ireland, they will overcome their scruples and accept this as an improvement of their Bill.

MR. MACARTNEY: The Solicitor General has complained that my hon. Friend, in founding his Amendment on the Reference to the Mathew Commission, left out of view the recommendations of that Commission, and that this was his main or only argument. But the hon. and learned Gentleman cannot have read, or if he has read he must have forgotten, paragraph 16 and 17 of the Report, in which the Commissioners say that evicted tenants live in the vicinity of the estate supported by the assistance of friends or associations, and, having no occupation, hang about the farms, never relinquishing the hope of returning, and that it is not surprising that authorities have considered additions to the local police force necessary. Now, the Bill, we understand, has been introduced to remove an administrative and social trouble, and it is evident from their Report that the Commissioners consider these social and administrative troubles have arisen from the fact that evicted tenants remain in the neighbourhood of the evicted farms, and there is not a word in the Report, not an expression in their recommendations to show that the Commissioners ever had the slightest idea of extending their recommendations to any tenant not resident in the country, and not, therefore, in their opinion one of the chief causes of that social trouble to remove which the Bill has been brought in. We have heard various arguments from the Front Bench, but I think not one with less foundation than this last. The Amendment is founded on the Reference to the Commission; but when we come to read the recommendations of the Commissioners, comparing the language in the Report with the facts in evidence, I think it is perfectly evident that my hon. Friend can find ample justification for his Amendment.

\*MR. T. W. RUSSELL: Anybody who knows anything of the tenants evicted under the Plan of Campaign knows that many of them have left the country, have gone abroad, or have found in England or Scotland means of earning a living. If that is true of tenants evicted since 1886 much more is it true of tenants evicted between 1879 and 1886; if one class has scattered the other

has much more scattered. Now I put it to the Government, Do they think that by putting temptation in the way of these people to come back and claim these farms out of which they could not get enough to live upon they are doing these people good service? They are doing nothing of the kind. Many of these ex-tenants are earning their living in other ways, and, I am glad to think, in far more comfortable circumstances than when they were in occupation of their holdings, and I cannot for the life of me see why the Government should offer encouragement to these people to return to Ireland where they cannot live. This is a substantial and useful Amendment, and I shall support it.

MR. A. J. BALFOUR: I entirely agree with my hon. Friend who moved this Amendment and with my hon. Friends who have supported it. I cannot help thinking that the Chief Secretary must have been rather surprised at the line of defence taken up by the Solicitor General. My hon. Friend based his Amendment to a considerable extent on the Reference to the Mathew Commission, and pointed out that that Reference distinctly confined the investigations of the Commission to the case of tenants resident in Ireland. The Solicitor General expressed a wish that my hon. Friend had thought more of the Report of the Commission and less of the Reference. On that Report I do not make any attack, nor against the excellent gentlemen who formed the Commission do I say a single word. They were a body of gentlemen, however "sensible," with whom the hon. and learned Gentleman has had nothing to do, except that he is now a Member of the Government who at the time made the appointments. But who is responsible for that Reference? The very gentleman who ought to have got up and given expression to the views of the Government on this occasion, who did not do so, but left that duty to his lieutenant. The Chief Secretary for Ireland—he alone, or I presume with the assent of his Colleagues—is the person responsible originally for confining the investigation of this Commission, on whose labours this Bill is founded, to tenants living in Ireland. Clearly his own opinion must have been at that time that the Bill should be confined to these tenants, and at least we have a right to ask why his opinion changed between



the time when the Commission was appointed and the time when this Bill was introduced. We have the gravest reason to complain that there has been no explanation of the change. The investigation of the Committee was directed to a few estates, not to the whole of Ireland; but the finding of the Commission was the main reason put forward against the Amendment. As the hon. Member for South Tyrone has said, to offer temptation to people who, whether in America, in England, or Scotland, have now settled down to other modes of life and means of livelihood to return to Ireland and put in claims, is doing no good service to them and is a cruel wrong to Irish tenants. My hon. and gallant Friend (Colonel Saunderson) appeared to think that the representative of an Irish tenant must necessarily be a relative; but that need not be so; he may be, for anything I know, anybody who takes out letters of administration.

MR. J. MORLEY: There is another Amendment on that point.

MR. A. J. BALFOUR: And will the Government accept it?

MR. J. MORLEY intimated a negative.

MR. A. J. BALFOUR: Then I must take the Bill as I find it. He need not be a relation of the person who held the tenancy; he may be unconnected by blood or friendship, and his only connection may be the fact that he has a debt, payment of which can only be obtained by taking out letters of administration, and he may come from America and, before the arbitrators, put in a claim to all the privileges of this Bill. It is ridiculous. We have often discussed—and very recently in the other House, though I have no right to refer to a Bill there—the means of preventing the immigration of pauper aliens, but this Bill if it is left unamended will encourage such immigration; and when we are all agreed that the immigration of pauper aliens is a thing to be discouraged in London, Leeds, and Manchester, I fail to see why it should be encouraged in Ireland. We ought to have to deal only with Irishmen living in Ireland, and I base that contention on the deliberate opinion of the Government and of the present Chief Secretary when he framed with the utmost care the Reference to the Mathew Commission. I ask the Committee to endorse that opinion

by supporting the Amendment of my hon. Friend, who desires to confine the advantages of the Bill, as the Chief Secretary originally desired to confine them, to tenants living in Ireland, not extending them to those who many years ago may have sought in foreign countries and in foreign citizenship means of livelihood wholly different from their old occupation. Of course, the Government may refuse this and every Amendment, but as yet no reason has been given for departing from their original position when drawing up the Reference to the Commission and now substantially embodied in the Amendment of my hon. Friend.

\*MR. BUCKNILL (Surrey, Epsom): One word may be added with a quotation of language used by the Chief Secretary in support of the not improper demand for an explanation. Before the Commission issued, which was, I think, in October, 1892—I speak from recollection—the Chief Secretary for Ireland addressed a letter, dated 26th September, to the hon. Member for Longford which was published in *The Times* of September 28, at page 7, in which the Chief Secretary for Ireland notified to the hon. Member for Longford the intention of the Government to issue a Commission, which is known now by the name of the Mathew Commission. In that letter the Chief Secretary drew the attention of the hon. Member for Longford in terms to the nature of the Commission, which appear to me now to require some explanation. I will read the whole sentence as it appears in *The Times*—

“We (meaning the Government) intend that the area of the inquiry shall particularly cover estates within the scope of Section 13, where disputes still exist between landlords and evicted tenants, but excluding all cases where the evicted tenants have left the country.”

These are the exact words as they appear in *The Times*. The answer of the hon. Member for Longford has not yet been published; but I feel some curiosity to know how that hon. Member met this particular part of the sentence, what were his views and those of other Irish Members of the proposed exclusion of that particular class of tenants from the scope of that inquiry and this Bill. All else that I had to say has been better said by others, and I waited until the Chief Secretary was present before quoting from his letter.

MR. J. MORLEY : I have no right whatever to complain either of the right hon. Gentleman or of the hon. and learned Member for reminding the Committee of the language that was used by me in announcing the intention of the Government to issue the Mathew Commission, and the words I introduced into the Order of Reference to that Commission. To the views which I then expressed more specifically and personally in the letter from which the hon. and learned Member has read an extract, explaining the object which I had in my mind at the time and still have in my mind—to those views I still adhere ; that is to say, I do not expect or contemplate that the operation of this Bill will be to invite back to Ireland a number of men from Chicago, Philadelphia, New York, and elsewhere, in order to make claims for reinstatement in holdings from which they had been evicted 10 or 15 years ago. That exclusion was my policy then, and it is the policy which I do not conceive to be shut out or negatived by the machinery which it is proposed to set up in this Bill. But I am not willing to exclude from the consideration of the arbitrators cases of emigrant tenants who may have a fair claim, and whom it may be desirable, in the interests of the social peace of the district, to restore. Anybody who knows Ireland—and no one knows it better than the hon. and gallant Member for North Armagh—knows that there may be cases where land is at this moment unoccupied, and where it might be very desirable, if a returned emigrant set up a claim for reinstatement upon it, that the arbitrators should have power to recognise that claim and put the man into the holding. I do not think, however, that such cases would be frequent. This is my apology, if you like to use that word, for any apparent inconsistency in the language I used in the document quoted by the hon. and learned Member opposite, and my refusal or unwillingness to assent to this Amendment. I do not think it would be politic to invite men to come back from America or other parts of the world to put forward claims under this Bill. I do not think the inducement is sufficient, and even if some of them were to return to Ireland for that purpose I do not suppose that the welcome they would receive from the arbitrators would be such as would operate as an encouragement to others to

do the same. I adhere to the policy upon this matter that I have always held, but I do not deem it expedient to shut out of view the fact that there may be circumstances which make it desirable to give the power to reinstate tenants who at the moment that the Bill becomes law do not happen to be resident in Ireland.

MR. J. CHAMBERLAIN : The statement of the right hon. Gentleman the Chief Secretary is a very important one, because it certainly shows that a complete change has taken place in the policy of the right hon. Gentleman since he wrote that letter to the hon. Member for Longford in 1892. The right hon. Gentleman now says that he does not desire to invite persons over from America to make claims under this Bill, but in 1892 he said he desired to exclude such persons, which is a totally different thing. The explanation of the right hon. Gentleman does not show why he desired to exclude these men in 1892 and why he desires to include them in 1894. I venture to say the change was made much later than might be supposed from the interval which elapsed between the date of the letter and the introduction of this Bill, because upon the Second Reading of the Bill the Chief Secretary spoke of the limited number of evicted tenants who would come under the operation of the Bill. He said that there were altogether 5,900 evicted tenants, of whom some 2,000 had gone abroad or were otherwise disposed of, and that that would leave only 3,900 to be dealt with under this Bill, and when I reminded him that it appeared from the Report of the Parnell Commission that in eight only out of the 15 years since the passing of the Act of 1879 there had been 24,000 evictions, he met that statement by asserting that all the remaining evicted tenants had been disposed of, and that they would only have to deal with 3,900 under this Bill, because the rest had gone to America or had been otherwise disposed of. Undoubtedly this Bill will be a call to those tenants who have gone to America to come back, raising social difficulties that do not now exist. Let us speak plainly. The Government has shown to-night a determination, which I think is very deplorable, not to accept any Amendment whatever to the Bill. Here is an Amendment which will have the effect of carrying out the right hon.

Gentleman's own declared policy, but new pressure has been brought to bear upon him, and he consequently goes away from his own opinion and conviction, though he still thinks it is not desirable that these men should be excluded, and now seeks to throw the whole responsibility in the matter upon the arbitrators. We have had no answer to the Amendment, and we are justified in repeating our argument again and again that the only justification for the Bill is that it may remove social and administrative difficulties. How are you going to deal with the social and administrative difficulties in Ireland if you bring back to that country a number of men who have become absorbed into the populations of other countries, and who are perhaps contentedly living there? The right hon. Gentleman has spoken of the advantages that may accrue to those persons who may return, but there are a great number of those persons whose return may be far from an advantage to ourselves. In 1882 there was a great flight of Irishmen to America and other parts of the world, and some of those gentlemen who have not been successful abroad, and who have not obtained influential positions in Tammany Hall, may find it convenient to return to Ireland. Is the Government going to say to them, "Well, we cannot make you all city marshals, but at least we can offer you the next best thing—we can make you evicted tenants?"

MR. SEXTON: Such speeches as that we have heard from the right hon. Gentleman offer full explanation why British law and British administration have become detestable to the Irish people, speeches inspired by the spirit of mockery and taunt. Let me submit specific reasons against this Amendment. If these words are inserted no man who is out of Ireland at the passing of this Act can make a claim. There are hundreds of poor tenants who, by reason of their eviction, go to England or Scotland to take part in such work as they can find in the summer and autumn and do not return until November.

MR. HANBURY: They are resident.

MR. SEXTON: What does "resident" mean? Has not absence from Ireland—occasional absence—debarred a man from the exercise of the franchise? Ingenuous Tory gentlemen know little of the

subtleties of the legal mind when applied to the construction of the law in Ireland if they do not realise that a few months' absence in England may be held to exclude a man from a claim under the Act. I am sure the right hon. Gentleman does not intend that temporary absence should operate as exclusion.

MR. J. CHAMBERLAIN: Hear, hear.

MR. SEXTON: Should the representative of a tenant who has died be excluded? Surely it is not intended that the property of an Irish tenant, which has some value, should, at his death, necessarily come into the possession of the landlord? By right of law and equity such property passes to the representative of the deceased, but by these words that representative would be ousted. In the case of an evicted tenant in America it is contended that no matter under what circumstances he has emigrated he ought to be excluded. We have known of many men who have gone to America simply because they were unable to get a living nearer home, but they have wives and children at home; they have still home interests in Ireland near the old home, they working in America to provide the means of subsistence. Does the right hon. Gentleman contend that a man who has been driven for a time to America to secure the means of life should be excluded from the benefits of this Act? I am sorry that the hon. and gallant Member for North Armagh, the only Irish landlord who has taken part in this discussion, should have seen fit to treat the subject of this Bill and the sufferings of men, women, and children, under the tyranny of eviction, in a spirit of broad farce. Let me remind the Committee of what took place in relation to evictions on Lord Clanricarde's estate. Evicted tenants found shelter on a plot of ground on the property of the parish priest. Through a Court of Law Lord Clanricarde obliged the priest to expel the tenants from that plot of ground, but the tenants found shelter in huts and out-houses of other tenants, and then Lord Clanricarde set his agents to work to hunt out these poor creatures, and by threats to prevent any assistance or shelter being given to them. *The Times* alluded to these proceedings as "devil's work," and am I to be told that people driven from the country by such tyranny as this are to be denied



participation in this act of mercy passed by a British Parliament? I put the question with some confidence to the right hon. Gentleman, and invite his answer.

**MR. J. CHAMBERLAIN:** Certainly, I accept the invitation, and I can assure the hon. Gentleman that to such an argument I have no inclination to reply in a spirit of mockery. It is the first argument that has been offered in support of the Bill as it stands. I think the hon. Member has made out a case for amendment of the Amendment, for I believe that none of us desire to exclude from the purview of the Bill the personal representative of a former tenant. Therefore, I venture to move at once the addition after "former tenant thereof," of the words "or his personal representative." But in regard to the matters referred to by the hon. Member, though I defer to the opinion of others upon the legal point, I do not think it can be held that temporary absence in England or Scotland establishes a man as non-resident in Ireland any more than it can be maintained that I am not a resident in Birmingham because the Government keep me 18 months in London. I really do not think that such a man could legally be held to be non-resident. Then the hon. Member puts another case, that of a man who has gone over to America to find work, leaving wife and children behind. Such cases are, I suppose, exceptional.

**MR. SEXTON:** We know of many.

**MR. J. CHAMBERLAIN:** I do not deny their existence, and am endeavouring to deal with such cases. Surely a man who has left his family domiciled at home cannot be said to have lost residence or domicile in Ireland?

**MR. SEXTON:** He may really have no residence—wife and children may have merely the shelter of a miserable hut.

**MR. J. CHAMBERLAIN:** I wish frankly to acknowledge there may be exceptional cases to meet which we invite assistance to amend our Amendment. These are not reasons for rejecting the Amendment, though it may require alteration. If the Government will say they are willing to accept the principle of the Amendment we are quite willing that exceptional cases should be provided for. Meanwhile, to meet one of the objections, I propose the addition

of the words "or his personal representative."

Amendment proposed to the proposed Amendment, after the word "thereof," to insert the words "or his personal representative."—(*Mr. J. Chamberlain.*)

Question proposed, "That those words be there inserted in the proposed Amendment."

**\*MR. T. M. HEALY:** I invite the Committee to pause in dealing with the question of absenteeism. That is a very large question, and it affects landlords as well as tenants. What would become of the Duke of Devonshire if he were to get the law as it is proposed to be administered by the right hon. Gentleman the Member for West Birmingham? He rarely goes to Ireland.

**MR. J. CHAMBERLAIN:** He was there last year.

**MR. T. M. HEALY:** Once in 10 years has he visited Ireland.

**MR. J. CHAMBERLAIN:** He had not been there since his brother was murdered.

**\*MR. T. M. HEALY:** Has Lord Clancarde lost a brother in Ireland? He was there in 1872, 22 years ago. Has anything happened to him? So I might go on with nine-tenths of these gentlemen. There is Mr. Henry Arthur Herbert, of Mucross; he has not been in Ireland since 1874, when he ceased to be a Member of this House. Is the Conservative Party going to invent a new doctrine in regard to absentee tenants which is not to apply to landlords? Let me give another.

**\*MR. T. W. RUSSELL:** I rise to Order. There is no proposal in the Bill to reinstate evicted landlords.

**THE CHAIRMAN:** The Question before the Committee is the Amendment to the Amendment.

**\*MR. T. M. HEALY:** I was going to deal with this question of residence. Some three years ago the Court of Appeal in Ireland admitted to the franchise a tenant in Tyrone who lived in Glasgow, and only came to Ireland for the 15th August, a Catholic holiday, and at Christmas, some two or three times in the year. He paid rent and taxes for the whole time. But the following year the very same man, paying the same rates and taxes and the same rent, was disqualified by the same Court of Appeal

under the very same conditions. Nobody who knows the conflicting decisions, on the question of residence in relation to the franchise, can doubt that the greatest confusion will arise if such questions are imported into the decisions of the tribunal such as is contemplated in the Bill. A man can now be conveyed from Queens-town to New York for 38s. This I know is only a recent reduction of the rate, but years ago the fare to Boston was only £3, and it was a constant thing throughout County Donegal for large squads of poor men to cross the Atlantic after the harvest to earn enough to pay their rent on return. What was the case with the evicted Olphert tenants? They lived in wretched, miserable shielings, places such as no humane Englishman would put his dogs or even his pigs into. I have seen a woman and three children issue from a den not two yards square, into which the rain dripped through the sods that formed the rough roof. The House was dealing with matters which touched the very heart-strings of the Irish people. The whole question of exile as well as of eviction was involved in those cases, and yet in regard to them the right hon. Member for Birmingham had nothing but jibes about Tamanny Hall and the City Marshalship of Dublin. He would invite English gentlemen to consider this matter carefully. It was simply because long ago your fathers had suits of mail and muskets, and our fathers only skiens and saffron shirts, that you were now the landlords and we the tenants. The English had no better title to Ireland than that they were better armed some hundreds of years ago. The men who had been cleared out of their farms had gone to the only country which gave them food and freedom and blessing, as John Bright had said. To-day Birmingham cast back the blessings of John Bright; and when Parliament for the first time offered to Irishmen decent consideration and a decent tribunal the right hon. Member for West Birmingham would shut out the exiles whom their laws had driven from their native soil.

Mr. A. J. BALFOUR: I do not think that anyone could have listened to the hon. and learned Member's speech without feeling that every word he said represented long-cherished emotions and bitterness of spirit which afforded some key to the difficulties of the present

situation in Ireland. That speech was not altogether relevant to the Amendment, but nevertheless it was a most suggestive speech and raised questions that must be taken into consideration. I would point out to the Government that the Bill goes to the root of the Irish question, and raises all the slumbering controversies of a decade of agrarian agitation. It is perfectly clear from the hon. and learned Member's speech that this Bill will require time for its discussion. It is not tolerable that we should be accused of obstruction when such speeches are delivered. I do not blame the hon. and learned Gentleman. I have no right to blame him. But if he has the right, as he unquestionably has, to make such speeches in the House, it is grotesque and absurd to pretend that the Bill is one to be disposed of in a week. The hon. and learned Gentleman has spoken the echo of centuries of passion.

Mr. T. M. HEALY: Hear, hear!

Mr. A. J. BALFOUR: I recognise that. I recognise that the speech came from his heart. But are those who, though understanding the hon. and learned Gentleman, do not agree with him, to be silenced while he is allowed to speak? Is that tolerable or possible? I say it is grotesque and absurd to suppose that this Bill, which touches every phase of the Irish question, and which is introduced at the end of July, is going to be passed under such novel conditions, under conditions which you never asked us to undergo when dealing with questions of the kind before. The hon. and learned Member spoke the sentiments of a vast body of opinion in Ireland and out of it. And on what views are those opinions based? That the Bill is not dealing by a process of amnesty with a social difficulty, but is restoring rights which have been taken away. The Government, on the other hand, call the Bill an amnesty and privilege to the Irish tenants. The question of which view is to be taken goes to the root of the Bill. It is evidently proposed by the Government in one spirit and accepted by hon. Gentlemen below the Gangway in a different spirit; and until it is decided on which of these two principles the Bill is to be discussed, it will not be discussed reasonably and in a businesslike way. As to the point of the Amendment now before the Committee, I agree with the general views of the right hon. Member

for West Birmingham, and will vote for the Amendment to the Amendment. But it must be on the understanding that when the question of personal representation is subsequently raised we can express our views on it, and that the words "personal representatives" should be altered, seeing that the phrase does not necessarily mean, legally, any relative or even connection of the remotest kind. As to what the hon. and learned Member for Louth has said about people going to America, he is quite right. It has come to my knowledge that many Irishmen from Achill go to America and return annually.

MR. J. MORLEY: You mean to England or Scotland?

MR. A. J. BALFOUR: In addition to those who go from the West of Ireland to England and Scotland, I came across cases of persons who actually went to America every year and came back to Achill in the winter. The knowledge came to me with a shock of surprise. I believe that if the word "domicile" is inserted in the Amendment all these objections will be successfully met. It is said again and again that these three gentlemen who are to form the tribunal are to use a wise discretion, and I see no reason why it should not be left to them to discriminate whether the person applying for the benefit of the Act is a *bonâ fide* resident in Ireland or whether his domicile is in some other country.

Question put, and agreed to.

MR. BARTON moved to insert after the word "resident," in the proposed Amendment, the words "or domiciled." The object of this Amendment to the proposed Amendment was to cover the cases of persons who went to America, England, or Scotland for the purposes of temporary business occupation, and with the intention of returning to Ireland again.

Amendment proposed to the proposed Amendment, after the word "resident," to insert the words "or domiciled."—  
(Mr. Barton.)

Question proposed, "That those words be there inserted in the proposed Amendment."

MR. J. MORLEY: The speech of the Leader of the Opposition was, neither in tone nor in language, unworthy

of the occasion which has produced it; but one may regret that the right hon. Gentleman did not allow the insight which he possesses into what he has called the bitterness of spirit that underlay deep Irish memories to guide him more in the policy he recommends. If the right hon. Gentleman had applied his mind to the proposals of the Government in the light of those emotions and feelings the depth and strength of which he recognised in the speech of the hon. and learned Member for Louth, they might now have been in a very different position, for Members would have felt that they had at least been employing the time spent on the Bill upon topics worthy of a great Assembly. That is my answer to the right hon. Gentleman. If the right hon. Gentleman had only dealt with our proposals in the spirit evinced in his speech, Ireland might have felt—whether the Bill is carried or not—that the House had at last awakened to some sense of sympathy with her, and with the dominant passions and emotions of her people. The speech of my hon. and learned Friend the Member for Louth, moving the House as it did, and calling for the recognition which the right hon. Gentleman the Leader of the Opposition gave it, must assuredly make hon. Gentlemen opposite reflect whether it is not better and worth while to approach this Bill even now with a desire to see these things in Ireland at an end. If gentlemen opposite would only try and see these things as Irishmen see them, instead of opposing our proposals merely for the purpose of a little paltry, Party fight, we would not have brought the Bill in in vain, even if it were necessary to effect some transformation in it. So far as this particular Amendment is concerned, all I can say is that, with the recollection of the traps and pitfalls offered to us in the shape of Amendments to the Home Rule Bill before me, I cannot say whether I will accept this word. At the proper time, however, I will consider the matter, but for the present I can only say I see no reason for departing from the attitude I have already taken up.

MR. J. CHAMBERLAIN: I rise in response to the appeal which has been made by the Chief Secretary. I think that the Chief Secretary has recognised before now that I have not been irreconcilable towards this Bill.

Mr. A. J. Balfour

MR. J. MORLEY : Hear, hear !

MR. J. CHAMBERLAIN : When I heard the right hon. Gentleman say now that it would be something if this Bill should not be brought in in vain, even though it had to submit to some transformation, I thought it was a hopeful expression of opinion, and one which I gladly recognise. I ask the Committee to take advantage of the higher mood to which it has been raised by the eloquent speech of the hon. Member for North Louth, and to see whether even now, at this last moment, we may not do something at all events towards settling this controversy raised between the two sides of the House. My right hon. Friend the Chief Secretary went too far when he accused hon. Members opposite of a want of sympathy with Ireland. Ireland includes something more than the people—even though they are the majority—who are represented by hon. Members opposite. We are not so inhuman as not to feel sympathy with those who, through their own fault or the fault of others, have been brought into a condition of great distress and suffering, but we also feel sympathy with those who will be brought into distress and suffering by the passing of such a Bill as this. We feel sympathy for the new tenants—those who are called “land-grabbers” and “legalised brigands”—men who carry their lives in their hands, but who have been guilty of no greater offence than that of trying to earn their livings honestly. When we are told that it is baneful that these controversies should be allowed to continue, let it be remembered that the real difference between the two sides of the House is whether this Bill should be voluntary or compulsory. By a voluntary Bill we would provide for a vast number of persons for whom our sympathy is claimed, but by a compulsory scheme injustice would be caused to a great number of persons we wish to protect. I do not think, however, that the appeal of the Chief Secretary should be received without hope, and as the hon. Member for Louth had said earlier in the evening that he would accept the principle of the Arrears Act, and as the principle of that Act is that of voluntary agreement, I still hope that there may be between the Chief Secretary and the hon. Member for Louth and the Members of the Opposition some possible *modus vivendi*.

Question put, and agreed to.

Question put, “That the words ‘and the former tenant thereof, or his personal representative, is now resident or domiciled in Ireland’ be there inserted.”

The Committee divided :—Ayes 110 ; Noes 165.—(Division List, No. 201.)

It being after Midnight, the Chairman left the Chair to make his report to the House.

Committee report Progress ; to sit again upon Monday next.

PAROCHIAL ELECTORS REGISTRATION (ACCELERATION) BILL.—(No. 282.)

Lords’ Amendments considered.

MR. LEGH (Lancashire, S.W., Newton) said, the proposal in the Bill was that the Revising Barristers should be appointed by the Judges on Circuit. What was to be done in the cases of Judges who had completed their Circuit ? It was perfectly clear that those Judges would not be able to make the appointments ; and who, then, would make them ?

MR. SHAW-LEFEVRE said, there was power given to the Judges to make the appointments even after they had concluded Circuit.

Lords Amendments agreed to.

CANAL TOLLS AND CHARGES PROVISIONAL ORDER (No. 1) (CANALS OF GREAT NORTHERN AND OTHER RAILWAY COMPANIES) BILL.—(No. 178.)

Read the third time, and passed.

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER (No. 2) (BRIDGWATER, &c. CANALS) BILL.—(No. 198.)

Read the third time, and passed.

CANAL TOLLS AND CHARGES PROVISIONAL ORDER (No. 3) (ABERDARE, &c. CANALS) BILL.—(No. 215.)

Read the third time, and passed.

CANAL TOLLS AND CHARGES PROVISIONAL ORDER (No. 5) (REGENT’S CANAL) BILL.—(No. 253.)

Read the third time, and passed.

X CANAL TOLLS AND CHARGES PROVISIONAL ORDER (No. 7) (RIVER ANCHOLME, &c.) BILL.—(No. 263.)

Read the third time, and passed.

✓ CANAL TOLLS AND CHARGES PROVISIONAL ORDER (No. 8) (RIVER CAM, &c.) BILL.—(No. 264.)

Read the third time, and passed.

CANAL TOLLS AND CHARGES PROVISIONAL ORDER (No. 10) (CANALS OF THE CALEDONIAN AND NORTH BRITISH RAILWAY COMPANIES) BILL.—(No. 266.)

Read the third time, and passed.

( CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER (No. 12) (GRAND, &c., CANALS) BILL.—(No. 268.)

Read the third time, and passed.

X ELEMENTARY EDUCATION PROVISIONAL ORDERS CONFIRMATION (BARRY, &c.) BILL [*Lords*].—(No. 310.)

Reported, with Amendments [Provisional Orders confirmed]; as amended, to be considered upon Monday next.

EDUCATION PROVISIONAL ORDER CONFIRMATION (LONDON) BILL [*Lords*]. (No. 300.)

X Reported, with Amendments [Provisional Order confirmed]; as amended, to be considered upon Monday next.

LOCAL GOVERNMENT (SCOTLAND) BILL.—(No. 202.)

Reported from the Standing Committee (Scotland).

Report to lie upon the Table, and to be printed. [No. 243.]

Minutes of Proceedings to be printed. [No. 243.]

Bill, as amended in the Standing Committee, to be taken into consideration upon Thursday next, and to be printed. [Bill 337.]

PETROLEUM [INQUIRY NOT COMPLETED.]

Report from the Select Committee, with Minutes of Evidence, brought up, and read.

Report to lie upon the Table, and to be printed. [No. 244.]

LARCENY ACT AMENDMENT BILL [*Lords*].

Read the first time; to be read a second time upon Tuesday next, and to be printed. [Bill 338.]

MESSAGE FROM THE LORDS.

That they have agreed to,—

Parochial Electors (Registration Acceleration) Bill, with Amendments.

That they have passed a Bill, intituled, "An Act to amend the Valuation of Lands (Scotland) Acts in regard to the duties of the Assessor of Railways and Canals." [Valuation of Lands (Scotland) Acts Amendment Bill [*Lords*.]

CONVENTION OF ROYAL BURGHS (SCOTLAND) ACT (1879) AMENDMENT BILL.

On Motion of Mr. Parker Smith, Bill to amend The Convention of Royal Burghs (Scotland) Act, 1879, ordered to be brought in by Mr. Parker Smith, Dr. Clark, Mr. Cochrane, Mr. Donald Crawford, and Mr. Renshaw.

Bill presented, and read first time. [Bill 339.]

CONSOLIDATED FUND (No. 3.) BILL.

Considered in Committee, and reported, without Amendment; to be read the third time upon Monday next.

EVICTED TENANTS (IRELAND) ARBITRATION [GUARANTEE AND EXPENSES].

Considered in Committee.

(In the Committee.)

Question again proposed,

"That it is expedient to authorise the Treasury to guarantee advances, not exceeding £250,000, charged on the Irish Church Temporalities Fund, in pursuance of any Act of the present Session to make provision for the restoration of Evicted Tenants in Ireland, and to charge the sums required to meet such guarantee on the Consolidated Fund of the United Kingdom :

And to authorise the payment, out of moneys to be provided by Parliament, of any salaries, remuneration, and expenses which may become payable under the said Act."—(*Sir J. T. Herbert*.)

Committee report Progress; to sit again upon Monday next.

House adjourned at twenty minutes after Twelve o'clock till Monday next.



## HOUSE OF LORDS,

*Monday, 30th July 1894.*

## BUSINESS OF THE HOUSE.

Standing Order No. XXXIX. considered (according to Order), and dispensed with for this day's sitting.

## BOARDS OF CONCILIATION BILL.

[H.L.].—(No. 112.)

## THIRD READING.

Bill read 3<sup>a</sup> (according to Order).

LORD PLAYFAIR desired to explain before this Bill went to another place the attitude of the Government in regard to it. As he had stated on Second Reading, there were three Bills before the House of Commons with this important object—one introduced by Government, another which was now introduced before their Lordships by Lord Onslow, but known in the other House as Sir John Lubbock's Bill, and the third by Mr. Butcher and Sir John Gorst. The Government approving entirely of the object of this Bill had, therefore, offered no opposition to it, and it went down to the House of Commons in exactly the same state as it left that House, without a single line or word of it altered. But although the Government could not oppose the Bill, approving of its object, they did not consider it equal to the Government measure in the other House. It was more stringent and less elastic. Therefore, although it had received their Lordships' approbation, the Government did not consider it their duty to give it priority in the other House. It was proposed that all three Bills should be referred to the Grand Committee for the purpose of selecting the best parts of each in order to make a practicable working measure.

THE EARL OF ONSLOW said, he quite understood the attitude of the Government on this important subject. A deputation waited on the President of the Board of Trade a short time ago, and the answer then given practically explained the attitude of the Government. They had placed a block against the other two Bills in the House of Commons, not objecting to the principle

involved in them, but desiring to act as starters in a race, and to allow no Bill to get a start of the others; but if the Government, with the command of time in the other House, did not choose to give priority either to their own Bill or to this Bill, the responsibility for the failure to pass any Bill would rest upon them. He moved an Amendment to carry out the views expressed by the Lord Chancellor in Standing Committee, by providing that a certain proceeding should be taken

"on the application of either of the parties, if the High Court or a Judge shall in their or his discretion think fit,"

instead of on the order of the High Court or of a Judge.

Amendment agreed to.

Bill passed, and sent to the Commons.

## FINANCE BILL.—(No. 168.)

## THIRD READING.

Order of the Day for the Third Reading, read.

Moved, "That the Bill be now read 3<sup>a</sup>."  
—(*The Earl of Rosebery.*)

\*THE MARQUESS OF SALISBURY: My Lords, I wish to ask a question of the noble and learned Lord on the Woolsack. I regret very much that I was prevented from being in my place on Friday when the noble and learned Lord made a statement which appears to me to be so interesting and important that I wish to ask for further information on the subject. I gather from the noble Lord's statement that the Judicial Committee of the Privy Council has on some occasion decided that this House has no constitutional power to amend Money Bills. If they have so decided, I believe they are entirely wrong; but that is not the point. They have no power of binding us. But I am rather disturbed that they should have entered upon the subject at all. It appears to me to be an extreme exercise of their power. To decide on matters which are in conflict between the two Houses of Parliament is not within their jurisdiction at all. If they were deciding upon the construction of an Act of Parliament, of course I at once admit that they would be within their rights; but I can hardly imagine an Act of Parliament passed, dealing with the position of the two Houses in respect of this

matter, without its having been carefully watched in this House. I, therefore, wish to ask the noble Lord whether he will give me a Reference to the decision the Privy Council has come to, and whether he will also produce the Judgment to which he referred? It appears to me to be a matter of considerable importance, because I do not think that in the present state of things the legal power of this House ought to be diminished in the very slightest degree by any action of this House or concession which this House can make. And though I quite admit that a decision of the Privy Council cannot bind this House, still it comes perilously near to limiting the legal powers of this House when the Privy Council comes to a decision of that kind. My Lords, I draw a very strong distinction—as strong as it is possible to draw—between the legal powers of this House and the House of Commons and the practice which considerations of obvious convenience in the interest of the public welfare may induce the two Houses to adopt. It is perfectly obvious that this House in point of fact has not for many years past interfered by Amendment with the finance of the year. The reason why this House cannot do so is that it has not the power of changing the Executive Government; and to reject a Finance Bill and leave the same Executive Government in its place means to create a deadlock from which there is no escape. If the House of Commons had rejected this Finance Bill during the present month, there would, no doubt, have been considerable inconvenience, but at least another Executive Government would have been provided whose duty it would have been to have suggested an alternative for making fresh provision for the year. But if this House were to reject a Finance Bill, or to amend it so that the House of Commons would reject it, as the same Executive Government would remain in Office, there would have been obviously the greatest inconvenience in dealing with the public finance. I do not, therefore, in the least degree, dispute the necessity of the accepted practice that this House should not, as a rule, interfere with the finance of the year; but at the same time I think it very important, in view of the changes which

have come over the Constitution, the proceedings, and, I must add, the authority of the House of Commons, that we should rigidly adhere to our legal powers, whatever they may be. It is necessary to call attention to the fact that the differences between the legal rights of the House of Commons and its moral authority are of the widest possible character. The legal rights of the House of Commons are equally strong and powerful if they are exercised by a majority of a single vote. They are in all circumstances the same; but the moral authority of the House of Commons varies infinitely with the circumstances of the case. The legal power of the House of Commons is the same as the legal power of the House of Lords, neither more nor less. It is sometimes claimed that the moral authority of the House of Commons is greater; and undoubtedly under certain circumstances it is very much greater; and there are circumstances under which it may be overwhelmingly irresistible. These circumstances are when the House of Commons not only theoretically but practically represents a distinct expression of the will of the people of these Three Countries. There is no resisting the national will. But when the House of Commons does not represent that national will then its authority diminishes, and may diminish to any extent you please, until it has ceased to exist. It occurred to me, after reading the speech of the noble and learned Lord on the Woolsack, to consider what was the legal and moral authority of the House of Commons in reference to this Finance Bill. It was passed, as your Lordships are aware, by a majority of 14. That is to say, eight Members voting in another direction would have thrown out the Bill. What is the moral authority of these eight Members? It depends upon the amount of the popular and national support which they represent. It depends, according to our modern theories and views, upon the numbers they represent. If they represent an overwhelming majority of the people, the authority of the House of Commons is overwhelming; but not in any other case. It is worth while to call your Lordships' attention to the moral authority actually represented by these eight Members who passed this Finance Bill and introduced this revolution in our finance. What is the amount of moral

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authority which they actually represent? I have taken out—not their names, of course; I would not do that, but the names of eight constituencies—namely, Central Finsbury, Ayr, North Somerset, North-West Ham, South Northampton, Inverness, Boston, and the Exchange Division of Liverpool—all of which were represented in the Division which gave the Government a majority of 14. The Members for these constituencies were returned by exceedingly small majorities, so small that, if 150 voters had voted the other way, the results of the elections would have entirely changed the majority of the House of Commons for this purpose and would have thrown out this Finance Bill which has made such an extraordinary change in the finance of England. Therefore, the moral authority of the House of Commons for this purpose is the moral authority you choose to attach to 150 householders or lodgers living in those eight constituencies I have named. I need hardly point out to your Lordships that when it comes to a question of 150 men, we could find 150 non-voters in the House of Lords who would condemn the Bill quite as heartily as any 150 voters in those constituencies would support it. Without claiming anything for aristocratic descent or for privileges belonging to the House of Lords, I suppose those 150 non-voters are as good as any 150 lodgers or householders who are to be found in those eight constituencies. I dwell on this matter, because there seems to me to be a constant tendency in the public mind to confuse the moral authority and the legal authority of the House of Commons. I repeat that the legal authority is good if it is exercised by a majority of a single vote, but the moral authority of the House of Commons depends on the popular strength which it represents, and which lies behind it. This particular measure undoubtedly has been passed by moral authority of the very weakest kind—by 150 householders and lodgers, not better men than 150 Peers. My Lords, on these grounds I attach very great importance to the preservation intact of the legal prerogatives and rights of this House, because we do not know when it may be expedient to insist upon and to exercise them. I quite understand the duty and necessity of exercising any of those powers with great reserve and cir-

cumspection; but I confess I heard with great disquietude the language of the noble and learned Lord on the Woolsack, which seemed to me rather like an attack. The noble and learned Lord, basing himself upon some extraordinary proceeding of the Judicial Committee of the Privy Council, attacked the legal powers of the House of Lords. We know not when they may be wanted, and I earnestly protest against any attempt to diminish them. While I am on my legs I wish to contradict, with all courtesy and deference, a statement of the noble and learned Lord on the Woolsack, which will not bear scrutiny. He informed the House that there was nothing new in this principle of graduation; that it had been adopted by Mr. Goschen and Sir S. Northcote, and was merely extended now. While anxiously desirous to avoid anything like uncivil language, I must say that appears to be a mere juggle of words. There is no real similarity between what is called graduation in the proposals of Mr. Goschen and Sir S. Northcote and the graduation put into this Bill. Of course, I am anxious about it, because I myself am responsible for what both Mr. Goschen and Sir S. Northcote did. What they did was to render more easy the burden of the Income Tax in the first place, and to some extent the Death Duty in the second at the lower end of the scale, where they pressed very hard on persons of small means, who had great difficulty in making their living. It was an action of sympathy and compassion—of consideration; I do not think it can be in the least degree blamed or attacked or for a moment compared to the scheme of the present Bill. The transition from indirect to direct taxation is so harsh, and the Income Tax is so severe upon men who are struggling at the extreme end of the social scale for the supply of their ordinary wants, that I am not only not surprised Parliament should have interfered, but it was highly necessary and laudable Parliament should do it. But let not the noble and learned Lord say this principle began with Sir S. Northcote or Mr. Goschen. When Sir Robert Peel limited the Income Tax to £150 he did exactly the same. He recognised that graduation, if you choose to use the word, at that end is necessary; but this graduation for the benefit of the poor

has no similarity or analogy or connection with the graduation now introduced at the other end, which is introduced for the purpose of enabling people with small fortunes to put their ordinary burdens on people who are richer than themselves. Of course, you may say it is just to graduate and make people of large fortunes pay at a greater rate than those with small ones. Justice in political matters is to a large extent a question of conventional tradition. But this is absolutely new. It has been done in no country before. It was never done in this country before the present time. If the usual practice had been followed I suppose there would have been a Death Duty of about 4 per cent., or a little more all round, and the people of small fortunes would have paid their proportion as the people of large fortunes do upon the old principle. The effect of this operation has been constantly described as a contest between rich and poor. It is nothing of the kind. The poor people have nothing to do with it. It is a fight between people of small fortunes and those of large fortunes; and the people of small fortunes are to be enabled to place their burdens, contrary to principles of taxation accepted from time immemorial, upon the shoulders of people with large fortunes. Now, I am not going to represent that as a serious public calamity, or anything which need alarm us, as legislators. It is very disagreeable to people with large fortunes, and very pleasant to the people with small fortunes. It is a very clever device ingeniously carried out. But what I wish to point out is the danger which it involves in the future. You have parted with any standard. Up till now everybody paid a fixed proportion of taxation upon a well-defined standard on income or capital. There was no doubt what you had to do. But now the proportion depends upon the Chancellor of the Exchequer of the day. You may say of it as used to be said of chancery in the old times—the measure of it “depends upon the length of the Chancellor’s foot.” There is no reason why 8 per cent. should be selected more than 10, or 10 more than 20, or 20 more than 50. There is nothing in the nature of the case, no principle whatever to guide you or to restrain people in the future from

carrying so very convenient a principle into practical application. I think the noble Lord opposite (Lord Farrer) told us the other night there is no danger, because people will not commit suicide. But it is not committing suicide when people with small fortunes put their burdens upon people with large fortunes. It is for them a pleasant operation enough. There is no reason why it should not be repeated indefinitely, and it will be repeated indefinitely unless something else should happen. I have noticed, in the Debates on this subject, it has been more than once said that the process ought to be extended till you come to the point of evasion. I do not admit the word “evasion.” To withdraw yourself from the operation of this tax is no more evasion than refusing to build a house is evading the House Duty; but I quite believe that the effect of what has been done will be to stimulate people to consider how they can withdraw from its operation, even at the risk of its exposing themselves to much inconvenience. And in doing so they will not act only on the ordinary motives for withdrawing from the operation of this tax; they will not only be saving their own money, but they will know that they are protecting their own pecuniary class from further and even less defensible encroachments of the same kind. If the tax is successful in raising the Revenue, this principle of graduation, which has no natural or ascertainable limits whatever, will be carried further; if the tax fails to do so, the probability is it will not be carried further. You have, therefore, announced to people that in withdrawing themselves from the operation of the tax they are not only saving themselves, but all who are in positions like to them, from its further and less defensible application. That does not seem to me to be very wise or skilful finance. A great deal is to be said, no doubt, and a great deal was said, which I shall not deal with now, on the Second Reading against this Bill. There is a great deal to be said against the oppression of this new application of the Death Duty, which, instead of levying what contributions are thought necessary for the constant and yearly increase of Revenue as it arises, cuts down at an uncertain time and for an unascertained period and levies a huge sum for the Executive. That is a very

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objectionable proceeding in the public interest, because of its violent and unexplained character, and because it interferes with all the ordinary operations by which money is disbursed in the community. Again, there are great objections to this plan, because placing a very heavy penalty on the possession of works of art must inevitably drive them from this country. These are very great evils, but they do not seem to me to be anything like the evils, or to involve anything like the severe condemnation deserved by a plan which, from its very nature, encourages and stimulates what you call evasion to an extraordinary degree, and which will, therefore, probably not only lose the objects at which it aims, but will weaken and diminish the yield of other former taxes—*analogous taxes*—which already exist, and which, so long as they were not treated in any exaggerated spirit, were not resisted by those on whom they were levied. I have spoken of this principle of graduation, because I repudiate with all the energy that Parliamentary Forms will permit me to employ, the suggestion that either Mr. Goschen or Sir Stafford Northcote are responsible for instituting the principle of graduation. There is no possible ground for laying it upon them. I agree that it will introduce great confusion in our finance. I believe it will work great injustice, and possibly it will produce great social evil; but whatever the evils that come from it may be, the responsibility for this violent revolutionary departure from former principles of finance lies with the present Chancellor of the Exchequer, with the present Government, and with nobody else.

**THE LORD CHANCELLOR (Lord Herschell):** My Lords, I thought in answer to the noble Duke on Friday evening, I had made clear the action of the Judicial Committee of the Privy Council in the case to which the noble Marquess has referred. Unfortunately, I seem to have failed in my endeavour to do so. I pointed out on that occasion that the Report then made by the Committee to Her Majesty could, of course, not control or affect any privileges of this House—that it could have no legal operation of that kind. But I think the noble Marquess must be aware that there are many cases in which, although a tribunal has no power whatever to ex-

press or give a decision which will bind in a particular matter, it may nevertheless, for the purpose of a point it has to decide, and over which it has jurisdiction, be absolutely necessary to pronounce an opinion upon it. That opinion may be the very basis of the decision at which it arrives, though not necessarily, although necessary for the purpose of that decision, binding in itself. Now what happened was this: At the instance of the two Chambers in one of our colonies it was referred to a Committee of the Privy Council, on which judicial members sat, to determine whether the Upper Chamber had a constitutional right to amend a Money Bill. The conclusion arrived at by the Committee was that the intention of the Legislature in constituting these two Chambers had been that their relation to one another, as regarded Money Bills, should be the same as the relations of these two Houses of Parliament to one another. There were provisions with regard to the introduction of Money Bills, and so on, which were obviously copied from parts of our Constitution. Whether right or wrong, the conclusion arrived at was that such was the intention of the Legislature. If that be so the question arises as to the power of the Upper House to amend a Money Bill. It was impossible to give an answer to the question submitted to the Committee without first answering the question. Has this Upper House a constitutional right to amend a Money Bill? Because once you find that the relation is the same as between these two Houses, you must first determine the relation of these two Houses to each other. The conclusion arrived at was that it was not a constitutional right of the Upper House to amend a Money Bill, and that then it followed that it was not within the constitutional right of the Upper Chamber as between these two branches of the Colonial Legislature. It became absolutely indispensable and unavoidable that we should form an opinion on the point, and, although the noble Marquess has called it monstrous, I am at a loss to understand how he or anybody else could avoid it. That opinion does not and could not bind this House; but none the less it was the conclusion arrived at by those who were considering the matter, not at all from a political point of view or in a Party spirit, but

merely for the purpose of answering a constitutional question submitted to them at the instance of the two Colonial Chambers. That is the real explanation, and I hope the noble Marquess will find it satisfactory, because it appears to me I have shown that it was not only within the right of the Privy Council to form such an opinion, but that it was absolutely impossible for them to answer the question submitted to them by Her Majesty with regard to the Constitution of the Australian Chamber without first forming an opinion upon it. Beyond that we did not go. With regard to the noble Marquess's suggestion that Papers should be laid on the Table, the Report could be presented, but it contains only a simple answer to the question submitted to the Committee, because in these cases it is not customary to give at length the reasons for the conclusion arrived at. As to the noble Marquess's question in reference to graduation, I was not intending to cast blame on anyone for introducing the principle which I was maintaining was a sound principle. The noble Marquess says that to represent that graduation was ever introduced before was a juggle of words. That is a matter of opinion. I maintain that it has been introduced before, although it may be somewhat extended and elaborated now. Unless I am much mistaken, the Inhabited House Duty differs according to the rental at three stages. I call that graduation, and I cannot call it anything else. There are three steps in the case of the Inhabited House Duty, and there are eight steps in the present case; but whether the steps are three or eight, it is equally graduation. As regards the Estate Duty, the noble Marquess says it was only a provision for the relief of the poor from the pressure of taxation. But I cannot see, if it is right that those who have over £10,000 should pay more than those who have under £10,000, why, on the same principle, those who have £40,000 should not pay more than those who have £20,000. It seems to me that the same principle precisely is involved, and both of them go upon this: that you ought to temper your taxation to the means of those who have to bear it, and that just the same reasoning which justifies diminution in the one case justifies this graduation in the other. The noble Marquess has dwelt, in connection with

*Lord Herschell*

what he calls the legal powers of this and the other House, upon the moral authority of the House of Commons. He says that, whatever the legal authority of the House of Commons may be, its moral authority depends upon the weight of public opinion which lies behind it. In a sense that is true; but I think it would be very difficult to draw the line and say where a House could be said to have moral authority or not according to its constitution. Of course, it must have a majority in order to carry measures at all. What majority of the House is supposed to have the moral authority of the nation behind it? That seems to me a question very difficult to answer. The noble Marquess has been connected with Governments that have not had the moral authority of the nation very strongly behind them, because they certainly have not had a very overpowering majority. But if you come to look, not merely at the majority in the House of Commons, but to the number of votes by which the Members of that majority won their seats, I have understood that the noble Marquess had a majority in the House of Commons which had been elected by a minority of the voters of the United Kingdom, and, therefore, the House lacked all moral authority during an entire Parliament. The noble Marquess asks what is the constitution of the majority by which this Bill was carried. He puts the majority at 14, and says that eight Members would have turned it the other way. That, I believe, is a mistake, for on the Third Reading the majority, I think, was 23.

THE MARQUESS OF SALISBURY: I referred to the Second Reading.

THE LORD CHANCELLOR: The House thought better of the Bill when the Third Reading came; and when they saw it in all its final glory, with its amendments, and in its ultimate shape, they acquired wisdom, and came to the conclusion that it was a desirable measure to pass. Therefore, it needs 12 Members and not eight to turn the decision the other way. But let us take eight. The noble Marquess chooses eight particular Members who were in the majority, and he says—"Look at the very small majority by which they were returned—150 votes in eight places would have turned the scale." I have not had time to make a



corresponding analysis of Members of the minority, but I venture to say I will find eight Members of the minority returned by smaller majorities than the eight Members to whom the noble Marquess has alluded. Therefore, we may fairly set the one against the other, and that is an end of the argument as to the small moral authority of those who carried this measure by reason of the number of votes supposed to be behind them. After all, according to the Constitution of this country, a majority is a majority, and a majority of the House of Commons is, whether large or small, competent to carry a Bill. If the noble Marquess says that a small majority gives this House a greater right to disregard the action of the other House, that is, of course, a matter which this House will have to settle with the other House, and with the country, according as the country is or is not at the back of the House of Commons. I do not think it would be of advantage to enter on the present occasion into a further discussion, and longer detain your Lordships with a repetition to a great extent of what took place on the previous occasion.

LORD ASHBOURNE said, it was beyond dispute that never before was a Bill making such vast changes and causing such intense uneasiness and heartburning all over the country, carried through the House of Commons by so trivial a majority. With regard to the colonial case to which the Lord Chancellor had referred, that was not a case calling for the decision of the Privy Council as a judicial tribunal. It was a case referred by the Colonial Secretary not to the Judicial Committee of the Privy Council, but to a general Committee of that body; and he would like to know how that Committee was constituted? Also, it would be desirable for their Lordships to know what actually took place; and he would, therefore, ask the Government to lay on the Table not only the Report of that Committee, but an additional statement showing how many meetings the Committee held, who were the witnesses, if any, called before it, whether precedents were examined, whether any evidence was taken, or whether the very able officers of their Lordships' House were consulted and the Journals of the House referred to as to the practice and procedure of their Lord-

ships' House in reference to the discussion, amendment, or rejection of Money Bills. He would like to know whether counsel were present to assist the Committee by argument on any precedents that existed? Or was the whole thing as he had suggested—a mere reference by the Colonial Secretary to the Committee for his own guidance? That obviously was a question of great importance. It was obvious that a bare Return, giving merely the answer of the Committee in a few lines, would be insufficient. They were aware, from the speeches of the Duke of Argyll and the Duke of Rutland on the Second Reading, that there was a great deal of learning upon this question, and a bald Return would be of little use. Therefore, he trusted that when the Return was made it would be found to contain some real and valuable information, so that their Lordships might judge of the character of the decision referred to. The noble and learned Lord on the Woolsack evidently attached great weight to the opinion of the Committee as a matter of constitutional importance. The Inquiry, therefore, was one not to be lightly entered upon, but ought to be conducted with great caution and prudence. It might be suggested that this was a matter *ultra vires* a Committee of the Privy Council. It was an immense constitutional question not to be hastily decided upon an opinion given indirectly in deciding another case.

Motion agreed to; Bill read 3<sup>a</sup> accordingly, and passed.

\*THE MARQUESS OF SALISBURY gave notice that he should move for a copy of the decision referred to by the noble and learned Lord on the Woolsack. He would insert the Reference if the noble and learned Lord would give it him.

#### PUBLIC LIBRARIES (IRELAND) ACTS AMENDMENT BILL.—(No. 180.)

##### COMMITTEE.

House in Committee (according to Order).

LORD ASHBOURNE drew attention to the marvellous and exceptional rapidity with which this Bill was pushed through the House. He was not unfriendly to the Bill, as he had shown on

the Second Reading, when, although it had not been circulated, he took no objection to it. Neither would he offer objection now in Committee, for it was supported by many sections in Ireland. He did not wish it, however, to suffer from any carelessness in drafting. It had been nobody's child in particular, and possibly some carelessness might have been shown in the drafting. He would not discuss its merits, but had noticed that it placed strict limits with regard to rating for public libraries in Ireland. A limit of 1d. was to be fixed; then in certain cases it was to be  $\frac{1}{2}$ d. or  $\frac{3}{4}$ d. carefully worked out. But now the limit was gone altogether, as the Bill was introduced into their Lordships' House from the Commons, for power was given to the Local Authority to alter the maximum and entirely take it away. Under the circumstances, he would not oppose the Bill going before the Standing Committee at the earliest possible moment; but he would invite the noble Lord, when it did so, to ask whoever was responsible for the details of the Bill, to look up the matter and furnish the necessary information on that point. It might be there was a perfectly good explanation, but on the face of it the matter required examination. An explanation satisfactory to the noble Lord himself would be sufficient, no doubt, for the other Members of the Committee, and on the understanding that that explanation would be given he would not oppose the Bill going at once to Standing Committee.

THE LORD PRIVY SEAL (Lord TWEEDMOUTH) said, the passage of the Bill through the House of Commons was so extraordinary an instance of absolute unanimity among Irish Members that when he was asked to take charge of it he could but endeavour to press it through as rapidly as possible. With regard to the drafting of the Bill and the consideration it received in the Commons, he would remind the House that it was there referred to a Select Committee, by whom it was most carefully considered. Consequently the drafting now differed considerably, but he would be happy to assist the noble and learned Lord in making the Bill as perfect as possible, and, should he be unable to give the desired information, would consent to postpone the Committee stage for a week.

*Lord Ashbourne*

LORD ASHBOURNE said, he would be absolutely satisfied if the noble Lord would get a Memorandum from those responsible for the financial details of the Bill, saying that this was reasonable and right. An explanation satisfactory to the noble Lord would satisfy everybody interested in the matter.

Bill reported, without Amendment; and re-committed to the Standing Committee.

#### THE NEW ZEALAND LEGISLATURE.

THE EARL OF ONSLOW asked the Secretary of State for the Colonies whether the Government of New Zealand had applied for any further instructions as to the action he should take on the advice of his Ministers to continue to add to the number of their supporters in the Upper House of that colony; and, if so, whether he would lay the Correspondence on the Table of the House in continuation of House of Lords' Parliamentary Paper No. 76, of Session 1893-94?

THE MARQUESS OF RIPON: The answer I have to give the noble Earl is that no such application has been made by the Government of New Zealand to the Colonial Office.

#### PAROCHIAL ELECTORS (REGISTRATION ACCELERATION) BILL.—(No. 174.)

Returned from the Commons with the Amendments agreed to.

#### PREVENTION OF CRUELTY TO CHILDREN BILL [H.L.].—(No. 178.)

Amendments reported (according to Order); further Amendments made; and Bill to be read 3<sup>a</sup> To-morrow.

#### COPYHOLD (CONSOLIDATION) BILL [H.L.].—(No. 171.)

Read 3<sup>a</sup> (according to Order), and passed, and sent to the Commons.

#### NAUTICAL ASSESSORS (SCOTLAND) BILL.—(No. 179.)

House in Committee (according to Order): Bill reported without Amendment; and re-committed to the Standing Committee.

#### CONSOLIDATED FUND (No. 3) BILL.

Brought from the Commons; read 1<sup>a</sup>: Then (Standing Order No. XXXIX. having been dispensed with for this



day's sitting) read 2<sup>a</sup> : Committee negatived ; Bill read 3<sup>a</sup>, and passed.

**CANAL TOLLS AND CHARGES PROVISIONAL ORDER (No. 1) (CANALS OF THE GREAT NORTHERN AND CERTAIN OTHER RAILWAY COMPANIES) BILL.**

Brought from the Commons ; read 1<sup>a</sup> ; to be printed ; and referred to the Examiners. (No. 184.)

**CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER (No. 2) (BRIDGWATER, &c., CANALS) BILL.**

Brought from the Commons ; read 1<sup>a</sup> ; to be printed ; and referred to the Examiners. (No. 185.)

**CANAL TOLLS AND CHARGES PROVISIONAL ORDER (No. 3) (ABERDARE, &c., CANALS) BILL.**

Brought from the Commons ; read 1<sup>a</sup> ; to be printed ; and referred to the Examiners. (No. 186.)

**CANAL TOLLS AND CHARGES PROVISIONAL ORDER (No. 5) (REGENT'S CANAL) BILL.**

Brought from the Commons ; read 1<sup>a</sup> ; to be printed ; and referred to the Examiners. (No. 187.)

**CANAL TOLLS AND CHARGES PROVISIONAL ORDER (No. 7) RIVER ANCHOLME, &c.) BILL.**

Brought from the Commons ; read 1<sup>a</sup> ; to be printed ; and referred to the Examiners. (No. 188.)

**CANAL TOLLS AND CHARGES PROVISIONAL ORDER (No. 8) (RIVER CAM, &c.) BILL.**

Brought from the Commons ; read 1<sup>a</sup> ; to be printed ; and referred to the Examiners. (No. 189.)

**CANAL TOLLS AND CHARGES PROVISIONAL ORDER (No. 10) (CANALS OF CALEDONIAN AND NORTH BRITISH RAILWAY COMPANIES) BILL.**

Brought from the Commons ; read 1<sup>a</sup> ; to be printed ; and referred to the Examiners. (No. 190.)

**CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER (No. 12) (GRAND, &c., CANALS) BILL.**

Brought from the Commons ; read 1<sup>a</sup> ; to be printed ; and referred to the Examiners. (No. 191.)

House adjourned at half-past Five o'clock, till To-morrow, a quarter-past Ten o'clock.

**HOUSE OF COMMONS,**

*Monday, 30th July 1894.*

**PRIVATE BUSINESS.**

**WEST RIDING RIVERS CONSERVANCY BILL.**

**LORDS AMENDMENTS.**

\*SIR F. S. POWELL (Wigan) said, that this Bill contained some very important Amendments made in the other House, which it was desirable that this House should have an opportunity of considering. He, therefore, proposed that the Lords' Amendments should be considered on Friday.

Lords Amendments to be considered upon Friday.

**QUESTIONS.**

**COLONIAL FISCAL ARRANGEMENTS.**

SIR A. ROLLIT (Islington, S.) : I beg to ask the Under Secretary of State for Foreign Affairs whether the Commercial Treaties with Belgium and Germany prevent, or not, differential fiscal treatment by Great Britain in favour of its colonies, by the colonies in favour of Great Britain, or by the colonies in favour of each other ?

\*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir E. GREY, Northumberland, Berwick) : Article 15 of the Treaty of July 23, 1862, between Great Britain and Belgium is as follows :—

" Articles the produce and manufactures of Belgium shall not be subject in British Colonies to other or higher duties than those which are or may be imposed on similar articles of British origin."

Article 7 of the Treaty between Great Britain and the Zollverein of May, 30, 1865, is as follows :—

"The stipulation of the preceding Articles 1 to 6 (they contain the whole of the Treaty) shall also be applied to the Colonies and foreign Possessions of Her Britannic Majesty. In those Colonies and Possessions the produce of the States of the Zollverein shall not be subject to any higher or other Import Duties than the produce of the United Kingdom of Great Britain and Ireland, or of any other country, of the like kind; nor shall the exportation from those Colonies or Possessions to the Zollverein be subject to any higher or other duties than the exportation to the United Kingdom of Great Britain and Ireland."

The general effect of these stipulations in regard to Import Duties, on the points mentioned in the question, are understood to be as follows : (1) They do not prevent differential treatment by the United Kingdom in favour of British Colonies. (2) They do prevent differential treatment by British Colonies in favour of the United Kingdom. (3) They do not prevent differential treatment by British Colonies in favour of each other.

COLONEL HOWARD VINCENT : Will the Under Secretary say whether Her Majesty's Government have decided to give notice to terminate the clause in those two Treaties, which thus limits the extension of Inter-British trade ?

SIR E. GREY : That is a large question of general policy, and I cannot make any statement.

MR. GIBSON BOWLES (Lynn Regis) : Is the view just stated by the hon. Baronet identical with that held by the other Governments concerned ? Has there been any divergence of opinion ?

\*SIR E. GREY : There is no necessity on our part for denouncing the Treaties for any purpose.

MR. GIBSON BOWLES : I was not speaking of denouncing the Treaty. I want to know has the hon. Baronet expounded the view of the effect of the Treaties held by the other Governments concerned ?

SIR E. GREY : I do not think there is any doubt that the explanation is founded on what the Treaties say, but that particular interpretation has not been discussed.

#### PAUPER CHILDREN.

MR. S. SMITH (Flintshire) : I beg to ask the President of the Local Government Board whether he can state

the total number of pauper children in this country, the number of pauper children emigrated to the colonies during the last 12 months, and the number of pauper children who have been boarded out during the same period ?

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (MR. SHAW-LEFEVRE, Bradford, Central) : The total number of pauper children in this country on the 1st of January last was 249,000, of whom 60,800 were receiving indoor relief. The number whose emigration was authorised by the Local Government Board during the year 1893 was 360. The number boarded out on the 1st of January last was 5,465.

#### FOREIGN PRISON-MADE BRUSHES IN GREAT BRITAIN.

COLONEL HOWARD VINCENT (Sheffield, Central) : I beg to ask the President of the Board of Trade if he has received a resolution from the brush-makers of Dalkeith, N.B., as to the hardships caused to their trade by the free importation of foreign-made prison brushware, and calling attention to the fact that by the importation of criminal-made goods many respectable men and women are being driven into the ranks of the unemployed; and if he will use his influence with the Government either to bring forward legislation upon this subject or to give time for the discussion of the Importation of Prison-Made Goods Bill ?

THE PRESIDENT OF THE BOARD OF TRADE (MR. BRYCE, Aberdeen, S.) : I have seen the resolution referred to by my hon. Friend. No information is given, however, tending to establish the accuracy of the statements which it contains. As I have previously informed the House, inquiries are being conducted through the Foreign Office on this subject. So far as those inquiries have gone, they lead me to believe that the quantity of prison-made brushware imported is infinitesimally small in proportion to the amount of goods of this kind placed on the home market, and cannot substantially affect British brush-makers. Under these circumstances, there seems to be no reason for asking the House to devote a part of its scanty time to the hon. Member's Bill.

*Sir E. Grey*

**COLONEL HOWARD VINCENT:** I must ask my right hon. Friend when the Report from the British Ambassador in Berlin on this subject is to be laid before Parliament; and whether he is aware that according to the skilled calculations of Mr. Byers, the well-known brush manufacturer in Dumfriesshire, a brush which costs the British manufacturer 7s. 5½d. per dozen to produce is made in German prisons and sold at the doors of English and Scotch brush factories for 3s. 6d. per dozen?

**MR. BRYCE** said, he could not state when the Report would be ready. Inquiries were being made in different foreign countries, but he trusted that it would be laid on the Table before long.

**COLONEL HOWARD VINCENT:** May I have cognizance of the Report received from the British Embassy at Berlin? It was promised me by the right hon. Gentleman's predecessor.

**MR. MUNDELLA** (Sheffield, Brightside): No; I made no such promise. I said that inquiries were being made, and as soon as we obtained the result I would communicate it to the House.

**COLONEL HOWARD VINCENT:** If the Report is being kept back, will the right hon. Gentleman allow me to have cognizance of it?

**MR. BRYCE:** It is not being kept back from the House, but it has been thought undesirable to present only partial facts.

**COLONEL HOWARD VINCENT:** I will communicate with the right hon. Gentleman.

#### ISSUE OF WARRANTS AND SUMMONSES IN IRELAND.

**MR. T. M. HEALY** (Louth, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if his attention has been called to the fact that, in consequence of an alleged assault about the ownership of land, a warrant was issued by the Resident Magistrate in Tulla, County Clare, for the instant arrest of a young man of respectable family named O'Dwyer, who was brought three miles from his home and harvest work to give bail for his appearance; whether in the County Limerick revolver-firing case the Resident Magistrate suspended the warrant of arrest against a bailiff until

the day of Petty Sessions; whether in the Birr military case no warrant was issued by the Resident Magistrate against the officers charged with assaulting females, but issued a summons; is there any regulation to secure uniformity of practice in these cases; and do the Government intend to take any notice of the Resident Magistrate's action in Mr. O'Dwyer's case, whereby a young man, who was ultimately only put under a rule of bail, and that against the protest of some of the Local Justices, was taken from his harvesting and subjected to inconvenience?

**THE CHIEF SECRETARY FOR IRELAND** (Mr. J. MORLEY, Newcastle-upon-Tyne): The facts are stated with substantial accuracy in the question. It is desirable, but difficult, to secure uniformity of action, as it is in the discretion of the Judges to whom a complaint of an indictable offence is made to issue a warrant on sworn information, or a summons. That discretion would be more wisely exercised by issuing a summons where there is no apprehension of the accused absconding. In the case referred to in the last paragraph it seems clear that the proceeding by warrant and arrest inflicted unnecessary hardship, though I am informed the only local Justice present neither protested nor dissented as alleged. The matter will receive my attention.

#### THE INSPECTORSHIP OF METALLIFEROUS MINES IN CUMBERLAND.

**MR. J. W. LOWTHER** (Cumberland, Penrith): I beg to ask the Secretary of State for the Home Department (1) whether Mr. William Leck, Postmaster at Cleator Moor, has been appointed Assistant Inspector of Metalliferous Mines in the Cumberland district; (2) whether the same qualifications are necessary for an Assistant Inspectorship of Mines as are required for Inspectorships; and, if so, whether in respect of the limitation of age and of previous employment underground, Mr. Leck possesses the necessary qualifications; (3) and whether this is the same gentleman with respect to whom a coroner's jury, in 1888, found a verdict that there had been great, but not criminal, neglect on his part, in the matter of the deaths by suffocation of three men in the pits of the Cleator Iron Ore Company?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. ASQUITH, Fife, E.): (1) The answer to the first paragraph is, yes. (2) The inspection of metalliferous mines is in most districts performed by the Inspectors and Assistant Inspectors of Coal Mines as a subsidiary part of their duties; but for the appointment of Inspector of Metalliferous Mines *per se*, no limit of age or qualification as to previous employment underground has as yet been prescribed, the few appointments of the kind having been conferred on gentlemen who, on account of their training and experience, have been considered qualified to hold them. (3.) Mr. Leck is one of the three gentlemen who, as officials of the Cleator Ore Mines, were concerned in the case referred to in the third paragraph. I was aware of this case when I appointed Mr. Leck, and, after carefully considering it, I came to the conclusion that the circumstances were not such as to disqualify him. These circumstances were within the knowledge of the large number of persons engaged in the mining industry in the district as employers and employed, who urged me to appoint Mr. Leck.

#### SOUTH MEATH VOTING LIST.

MR. JORDAN (Meath, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that four persons, appearing on the voters' list for South Meath Division, Summerhill Polling District for 1893, were objected to at Revision Sessions, and their names struck out—namely, No. 57, Owen Brennan; No. 424, Peter Kiernan; No. 177, Thomas Darby; No. 669, Laurence Weir; and that, notwithstanding the decision of the Revising Barrister disallowing their votes, these persons appear on the voters' list for 1894, numbered respectively, No. 48, No. 372, No. 155, No. 746; who is responsible for this transaction; is he aware that two persons in the same polling district—namely, Michael Gogerty and Peter Kennedy, appeared on the Register for 1893, numbered 304 and 421; and, although they were not objected to nor struck off by the Revising Barrister, their names do not appear on the list for 1894; whether he will ascertain if the four wrongly allowed on and the two wrongly struck off the list belong

to different political Parties; and whether, as the majority in this division was narrow, strict inquiry into the circumstances will be ordered?

MR. J. MORLEY: The Clerk of the Crown and Peace informs me that none of the names mentioned in the first paragraph were struck off at the Revision Sessions held in 1893, nor did Laurence Weir appear on the Register for that year as No. 669. All the names appear on the Register for 1894. The reply to the third paragraph is in the affirmative, and the Clerk of the Crown and Peace states that the omission of the two names from the Register for 1894 could only have occurred through a printer's error, as he prepared the Register from the revised lists very carefully. When the omission of these two names was pointed out to him he wrote to the printer for the original copy furnished from his office, but received no reply to his communication. He is not aware to what political Party any of the persons last named belong.

MR. T. M. HEALY (Louth, N.): I should like to explain it was not intended by putting this question to cast any reflection on the Clerk of the Peace for Meath. Although he is a strong Conservative we think him quite incapable of anything of the kind. But I have a list of 10 cases in another district, as to which I shall have to put a question to the right hon. Gentleman.

#### TORPEDO CATCHER FLUES.

MR. GOURLEY (Sunderland): I beg to ask the Secretary to the Admiralty whether it is intended to alter the flues of the torpedo catchers *Hornet* and *Havock* so as to prevent the emission of such dense masses of smoke and flame as was witnessed at the manœuvres in Stokes Bay on Saturday the 14th July; whether it is a fact that on board the *Hornet* men were continually employed in throwing water over the boats hung in davits near the funnels, to prevent them from being destroyed by the flames; and will he state the description of coal used, and also if he is aware that vessels have been offered to the Admiralty constructed with smoke-consuming apparatus; if so, why this system has not been adopted?

THE SECRETARY TO THE ADMIRALTY (Sir U. KAY-SHUTTLEWORTH, Lancashire, Clitheroe): The following information has been received from Commander Torlesse, late of the *Havock* and now of the *Hornet*, in relation to the question of my hon. Friend. He says—

"I presume the *Havock* is meant. The *Hornet* has never used water for the purpose indicated, nor was she troubled with flame (from her funnels). No trouble has been experienced in the *Hornet* from flame (from the funnels), but in the *Havock* at full speed a good deal of flame has been produced at times. No special Report has been made, as it was considered that more experience in stoking would reduce the flame. I have seen Commander Farquhar of the *Havock*, who states that his object in having water thrown over the boat (on July 14) was to prevent cinders from the funnels from burning small holes in the canvas cover of the boat." Commander Torlesse adds—

"I had never regarded the boat as in danger of catching fire, but merely used the water as a precaution against damage."

Further practice and experience will probably show whether it will be necessary to make a small alteration in the funnels of the *Havock*, in order to prevent any undue smoke or flame. The best hand-picked Welsh coal is used. No smoke-consuming apparatus has hitherto been submitted to the Admiralty which is considered suitable for naval purposes.

#### BRITISH REPRESENTATION AT RABAT

MR. GOURLEY: I beg to ask the Under Secretary of State for Foreign Affairs whether he is aware that at the City of Rabat, in Morocco, Great Britain is only represented by a Vice Consul, whilst the same Vice Consul holds for and represents Germany with the rank of Consul; and whether, seeing that Rabat is one of the leading commercial ports of Morocco, the Government will place the British Representative upon a par with that of the German Empire?

SIR E. GREY: The fact is as stated. It would not be possible, however, to alter the status of the Vice Consul at Rabat without further changes in the arrangement of the service at Morocco, which has just been carefully organised. The hon. Member will, therefore, I hope, understand that the refusal to make the change which he asks does not arise from any tendency to underrate the services of Mr. Frost, the value of which I am very glad to take this opportunity of admitting.

#### GUNNERS' PAY IN THE NAVY.

MR. GIBSON BOWLES (Lynn Regis): I beg to ask the Secretary to the Admiralty whether he can state what the qualification is respectively for a seaman gunner, for a captain of a gun, and for a captain of a turret, and what pay is attached to each of these ratings; whether any steps are taken to ensure that men who have once qualified for these ratings retain their efficiency; whether they are put through any kind of daily aiming practice, and a record kept of the results; and, if not, what tests of efficiency are applied to them, and at what intervals; whether the Admiralty will consider the desirability of increasing the efficiency of men of these ratings, as marksmen, by increased practice, either of aiming, or of practice with Morris tubes, or both, accompanied by a system of increased pay according to the results attained; and whether, having regard to the very great importance, as regards the fighting power of the ship, of the duties devolving on a captain of a turret, the Admiralty will reconsider, with a view to its increase, either in the manner suggested or otherwise, the pay attached to that rating?

#### SIR U. KAY-SHUTTLEWORTH:

The information asked for in the first paragraph is given at pages 916 and 917 of the Queen's Regulations and Admiralty Instructions. The reply to paragraph 2 is in the affirmative. Men are frequently exercised at aiming practice, which sufficiently tests their efficiency. A record of results obtained at target practice is kept. The various target practices prescribed by the Regulations, both from guns and Morris gun tubes, are carried out continuously throughout the year; and it is not practicable to add to them without interfering with other important duties. It is not intended to establish a system of increased pay by results, nor to make any increase in the additional pay already given to men holding the rating of "captain of a turret."

MR. GIBSON BOWLES: Is it a fact that every shot fired by a captain of a turret is worth £164, and yet he only gets 3d. per day?

SIR U. KAY-SHUTTLEWORTH: In addition to what he gets as instructor?

MR. GIBSON BOWLES : In addition to his ratings ?

SIR U. KAY-SHUTTLEWORTH : I must ask for notice of the question as to the cost of the shots fired.

#### PROSECUTIONS OF ANTI-VACCINATIONISTS.

MR. CHANNING (Northampton, E.) : I beg to ask the Secretary of State for the Home Department whether his attention has been called to the repeated prosecutions of Mr. H. Binder before the Oundle Bench of Magistrates for non-compliance with Orders to vaccinate the same child ; whether it appears that H. Binder was convicted and fined on 31st July, 1890, 28th August, 1890, 22nd March, 1894, and 14th June, 1894, in respect of Orders to vaccinate the same child ; and whether, having regard to the course adopted in these cases, he will direct the fines to be repaid ?

MR. ASQUITH : I am informed that two Orders have been made (in July, 1890, and March, 1894) for the vaccination of Mr. Binder's child, the defendant in each case being required to pay costs, and that he has been convicted and fined (in August, 1890, and June, 1894) for non-compliance with each Order. As I have frequently stated, I regret these repeated prosecutions in respect of the same child, but in the present state of the law I have no power to interfere.

MR. CHANNING : Am I, then, misinformed as to the statement made, that the right hon. Gentleman has ordered the remission of fines in cases where they have been inflicted for the same child ?

MR. ASQUITH : So far as my information goes, I have never ordered the remission of fines except where there has been subsequent evidence of the vaccination of the child. I do not feel that I am entitled in the present state of the law to order such remission, although I much regret their infliction.

#### EDUCATIONAL ENDOWMENTS IN IRELAND.

MR. T. M. HEALY : I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland why the Annual Report of the Proceedings of the Educational Endowments (Ireland) Commission, which has been published every year since 1886, at the end of the current year or beginning of the next, was not so

published in 1892-3 ; why has the Erasmus Smith Endowment, worth £10,014 a year, been left for nine years unsettled ; is he aware that Erasmus Smith, in his indenture under Cromwell and in his charter under Charles II., expressly provided that his endowment should be used to give free, intermediate, University, and, in a limited sense, primary education to the children of all his tenants on all his Irish estates, and to 20 other poor children within two English miles of each of his grammar schools at Galway, Drogheda, and Tipperary ; can he state how many pupils are now receiving intermediate education in the Erasmus Smith grammar schools, and how many are receiving Erasmus Smith exhibitions in Trinity College ; also how many of the pupils in his grammar schools and how many enjoying his exhibitions in Trinity College are children of his tenants on his Irish estates, or other poor children born within two English miles of his grammar schools at Galway, Drogheda, and Tipperary ; is he aware that the children of nearly all the 2,000 tenants on the estate formerly held by Erasmus Smith are deprived of the free, intermediate, and University education which was expressly provided for them ; will he explain why the scheme was not adopted which, on behalf of the tenants' children and other poor children on all the Erasmus Smith estates, was put before the Educational Endowments Commissions, on the principle of a Mixed Central Board and Mixed Boards for all the districts in which the estates lie, on which Protestants of all denominations were offered a larger representation than their relative numbers and relative contributions of rent entitled them ; and can any steps be taken to secure the benefit of the charity to the children of Catholics as well as Protestants ?

MR. J. MORLEY : The statutory powers of the Educational Endowments (Ireland) Commission expired on March 31st, 1893, and have since been continued by Orders in Council. The final Report will be presented before the end of the current year, and will cover the whole period from the date of the last Report to the completion of the business of the Commission. The annual value of the Erasmus Smith endowment, which does not appear to exceed £7,000,

*Sir U. Kay-Shuttleworth*



has not yet been fully dealt with, for the reasons explained in my reply to the question of the hon. Member for South Kilkenny on the 23rd inst. The governors of the Erasmus Smith grammar schools have courteously informed me that there are 94 pupils attending the school at Galway, 53 at Drogheda, and 38 at the Tipperary school. There are 35 past pupils of these schools receiving Erasmus Smith exhibitions in Trinity College. Several proposals are under the consideration of the Commissioners. The chief difficulty in framing a scheme is caused by the necessity of having regard to the intentions of the founder as to religion, and at the same time extending the benefit of the charity to Roman Catholics as well as Protestants. If no scheme can be framed under the Educational Endowments Act the administration of the charity can only be altered by Act of Parliament.

**MR. T. M. HEALY :** May I ask the right hon. Gentleman whether the practical result of these nine years doing nothing since the Act was passed is that £7,000 a year has been solely spent on Protestant pupils ; and whether it is not reasonable, after nine years, that the unfortunate Catholics of Ireland should get some share of it ?

**MR. J. MORLEY :** I am afraid I have not examined the question closely enough to have the right to an opinion ; but if the facts are as stated, they would lead to the conclusion mentioned by my hon. Friend.

**MR. T. M. HEALY :** If there is a proposal to continue this Act in the Expiring Laws Continuance Act of this year I will certainly oppose it.

#### MODEL FARMS IN IRELAND.

**MR. T. M. HEALY :** I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland (1) if a Return could be prepared for the use of the Select Committee on the Irish Land Acts showing the number, area, and situation of the Irish model farms under the National Education Board, the rent paid for each acreably and in bulk, the Poor Law valuation, the average rates and taxes, the amount paid for labour on each farm annually, the nature of the soil, the cost of implements and equipment, and improvements, including any fine or price paid to acquire the lands, the amount of

profit or loss on each farm annually, giving details of prices paid for seeds, manure, &c., and the prices received for produce, or where this is consumed by pupils the value thereof, and any other details calculated to present a view of the profits of scientific agriculture on the 20 farms worked by the Government in Ireland ; (2) is he aware that the Annual Reports of the Education Commissioners down to 1874 contained more information as to the management of these farms than subsequently, and that the details asked for are now shown in the farm books ; (3) is there any Treasury audit ; and (4) what system of book-keeping is maintained on these farms ?

**MR. J. MORLEY :** (1) There are now only two model farms (not 20, as stated in the question) worked by the Commissioners of National Education, one at Glasnevin, Dublin, and the other in Cork. The number in the year 1874 of model farms vested in the National Board was 21 ; but a Treasury Departmental Committee of that year, acting upon a previous recommendation of the Powis Commission, recommended the abolition of the model farms except the two referred to, and this recommendation was carried out. The Return indicated will be prepared in respect of the two remaining farms, and will be furnished in the course of a few days. It is to be observed, however, that the main object of maintaining these farms is not so much to show the profits of scientific agriculture as, with due regard to economy, to train young men in the theory and practice of agriculture and young women in dairying. These pupils are boarded at the establishments, many of them free of charge. (2) Information regarding the two model farms is published by the Commissioners in their Annual Reports, and the Appendix to these Annual Reports contains very full Reports by the Agricultural Superintendent. Possibly my hon. and learned Friend has not seen these latter Reports. (3) The accounts are audited by the Comptroller and Auditor General. (4) The ordinary system of commercial book-keeping is followed.

#### POST OFFICE PATRONAGE IN WALES.

**MR. SPICER (Monmouth, &c.) :** I beg to ask the Postmaster General, in view of the fact that during the last two and

a-half years 14 Post Office officials from the North Wales District have been appointed to postmasterships, and during the same period only four officers from the South Wales District have been appointed to similar positions, and that the Shrewsbury office alone has received more of these appointments than all the South Wales offices, will he take steps to ensure that the South Wales officials shall receive their proper share of these appointments; and will he issue instructions that in future all applications for postmasterships shall be sent direct to London instead of being sent through the local officials, and that, in London, the most suitable candidates shall be selected, and their superior officers then be asked for a Special Report as to their qualifications, &c., and thus do away with the habit (which now largely prevails) of the postmasters failing to recommend their best clerks, because they do not wish to spare them?

**THE POSTMASTER GENERAL** (Mr. A. MORLEY, Nottingham, E.): These appointments are not given according to districts, and if one district has received more than another it is a mere accident. I always look carefully into these cases myself, and select the candidate who, in my judgment, is the fittest for the particular post to be filled. The mode of procedure suggested is not feasible, the information necessary with a view to selection being only to be obtained locally. As regards the habit to which my hon. Friend refers as largely prevailing, I am certainly not aware of it; but if he will send me any particulars justifying the statement, I will have inquiry made.

#### CEMETERY CONSECRATION IN CARDIGANSHIRE.

**MR. GRIFFITH-BOSCAWEN** (Kent, Tunbridge): I beg to ask the Secretary of State for the Home Department whether he has received communications for two years past from the Vicar of Llanddewi-Brefi, County Cardigan, complaining that the Burial Board refuse to consecrate a portion of the cemetery as required by law, although the churchyard is filled, and the Vicar cannot use the cemetery unless a portion is consecrated; and whether he will take steps to compel the Burial Board to carry out the law?

*Mr. Spicer*

**MR. ASQUITH**: Yes. The papers in the case are about to be sent to the Treasury Solicitor, to advise if any, and what, proceedings ought to be taken.

#### RHUDDLAN SCHOOL, ST. ASAPH.

**MR. GRIFFITH-BOSCAWEN**: I beg to ask the Vice President of the Committee of Council on Education whether it is a fact that pressure has been put upon the managers of Rhuddlan School, near St. Asaph, to make various alterations which will cost at least £100; whether it is true that among the demands made is the building of a new porch; whether there is any need for this; is he aware that the Department threatened last February the withdrawal of the grant unless its demands were complied with within 12 months, and that the parish is a poor one, and there will be considerable difficulty in raising the money; and whether he will be prepared to reconsider the demand, and to give more time for their execution?

**THE VICE PRESIDENT OF THE COUNCIL** (Mr. ACLAND, York, W.R., Rotherham): Certain defects, which include deficient cloakroom accommodation, were pointed out in the last Annual Report on this school, and the managers were told that they should be remedied as soon as possible. But these had nothing to do with the notice as to withdrawal of grant, which was a first formal warning for inefficient instruction under Article 86 of the Code, and had no connection with the buildings.

**MR. GRIFFITH-BOSCAWEN**: Do I understand that the withdrawal of the grant will not depend upon whether the changes are made within 12 months from last February?

**MR. ACLAND**: This was what is called a first warning as to the character of the instruction given. That leads to the withdrawal of the grant in very few cases. The question of the buildings will be considered on quite a different basis.

#### POST OFFICE ENVELOPES.

**MR. GRIFFITH-BOSCAWEN**: I beg to ask the Postmaster General whether he is aware that the envelopes sold by the Post Office with the 2d. embossed stamp for use abroad are so transparent that every word of the letters which they contain can easily be read

through them ; and if he will endeavour to remedy this defect ?

**MR. A. MORLEY :** I have noticed the defect mentioned, and I shall be glad to take steps for remedying it as soon as the present supply of envelopes is exhausted. The hon. Member is probably aware that the object has been to make the envelopes light in weight, so as to leave as much as possible of the  $\frac{1}{2}$  ounce for the contents.

#### PORT WILLIAM RAILWAY STATION.

**DR. MACGREGOR** (Inverness-shire) : I beg to ask the President of the Board of Trade whether his attention has been called to the fact that the West Highland Railway Company are constructing their station at Fort William in a position and on a site other than that which was originally intended ; whether he is aware that serious inconvenience is caused to the people of Fort William by the present proceedings of the Railway Company ; and will he use his good offices with the Company to induce them to erect their station in a more suitable situation which is easily available ?

**MR. BRYCE :** My attention has been called to this matter, and an Inspecting Officer of the Board has recently visited the locality. He is of opinion that the site originally proposed at the Fort would have been a better one than that which the Company have chosen. The Company urge, however, that it is necessary to have a pier station for the purpose of bringing passengers alongside the boats. A possible solution of the difficulty would be to have the main station at or near the Fort, and to work a tramroad from thence to the pier. The Board will communicate with the Company on the matter.

**DR. MACGREGOR :** Will the right hon. Gentleman see that the recommendation is carried out ?

**MR. BRYCE :** We can only send it to the Company.

#### THE CLANRICARDE ESTATE.

**MR. ROCHE** (Galway, E.) : I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that Lord Clanricarde refused to allow the evicted tenants to remain on the land attached to the church, and by an injunction order had 29 families re-

moved on the 1st of this month ; whether he is aware that he used threats to those tenants who were on their holdings if they would give shelter to any of the evicted ; whether a tenant named Michael Flanery, who was evicted about four years ago, and who had recently gone back to his farm, had allowed an evicted tenant named Fahy to occupy an out-house in his yard, and, immediately after doing so, he was visited by the bailiff, and warned that, if he did not turn Fahy and his family out, he would be immediately served with a writ for the rent of his farm during the years that he was out of occupation, and, in consequence of such threat, Fahy had to leave ; whether he is aware that Fahy next got shelter from a tenant named Michael Hogan, and the moment Clanricarde heard of it the bailiff visited him, and threatened to take legal proceedings if he allowed Fahy to remain in his house ; and whether he will state how much it costs the British taxpayer to give Clanricarde protection in proceedings of this character ?

**MR. J. MORLEY :** It is a fact that in January, 1892, Lord Clanricarde obtained an injunction requiring the removal of huts from the chapel grounds at Looscaun. This injunction was confirmed by the Court of Appeal. Subsequently the defendants decided not to prosecute the further appeal which had been taken to the House of Lords and agreed to remove the huts. In accordance with this agreement 29 huts were removed early this month. The estate bailiff appears to have warned some of the tenants not to give shelter to the evicted tenants. The statements in the third and fourth paragraphs appear to be in the main accurate, though I am informed the warning was given to Hogan before the evicted tenant went to live with him. The bailiff got no protection when warning tenants not to accommodate the evicted tenants.

**MR. J. DILLON :** Can the right hon. Gentleman answer the last paragraph ?

**MR. J. MORLEY :** As the bailiff was not under protection there were no costs incurred on this occasion.

#### HOUSE CONSTRUCTION AT HAMPSTEAD.

**MR. WEIR** (Ross and Cromarty) : I beg to ask the Secretary of State for the Home Department whether he is aware that in the construction of newly-

built houses at Frognaal, Hampstead, mortar shown by analysis to be composed of earthy and organic matters, and from which lime is practically absent, has been used, and that the external or enclosing walls of basements which abut against the earth have not been protected by material impervious to moisture; and whether, under the bye-laws approved by the Home Secretary on the 19th October, 1891, he can take any steps to prevent builders from constructing, and district surveyors from passing, houses of a similarly defective character in the County of London?

**MR. ASQUITH:** I must refer my hon. Friend to the London County Council with regard to the details mentioned in this question. The bye-laws referred to were prepared by the London County Council, and approved by the Home Secretary in October, 1891, but the question of their enforcement is entirely outside my jurisdiction.

#### INSANITARY DWELLINGS IN SUTHERLANDSHIRE.

**MR. WEIR:** I beg to ask the Lord Advocate whether he is aware that, in a case tried at Dornoch, in December last, the County Medical Officer and the County Sanitary Inspector of Sutherlandshire, and the County Sanitary Inspector of Ross and Cromarty, and other witnesses, concurred in deponing that the dwelling-house occupied by Angus Mackay, farm servant, at Creich Mainis, Sutherlandshire, the property of the Duke of Sutherland, was, in September, 1893, by reason of its proximity to the cattle fold of the farm, and to a cesspool, and on other grounds, unfit for human habitation; whether he is aware that Mackay was obliged to leave the house and sue his employer for his wages; and that Sheriff Substitute Mackenzie decided in his favour and against his employer for his wages, while, on appeal, Sheriff Principal Johnson and the Judges of the Second Division of the Court of Session decided in favour of the employer; and whether he will introduce a measure to protect the interests of farm servants and their families in similar cases?

\***THE LORD ADVOCATE (Mr. J. B. BALFOUR, Clackmannan, &c.):** I have seen a newspaper report of the case, and the facts are substantially as stated in the first two paragraphs of the question.

*Mr. Weir*

The decision of the Court was to the effect that it was not proved that the dwelling-house in question was in such an insanitary condition as to render it unfit for habitation, and that consequently Mackay was not justified in leaving it, but in giving judgment the Lord Justice Clerk stated that the case was one involving some difficulty, although a considerable part of the evidence, particularly that of one of the Sanitary Inspectors, was not such as could receive attention. The question of the enforcement of the provisions of the Public Health Acts in Highland counties undoubtedly involves serious difficulties, which are receiving the attention of the Local Authorities and of the Government.

#### BUILDING BYE-LAWS IN THE METROPOLIS.

**MR. WEIR:** I beg to ask the President of the Local Government Board whether, in the bye-laws now being prepared by, or for the approval of, the Local Government Board, a bye-law will be inserted to require builders to carry off the surface water from the sites of newly-built dwelling-houses in the County of London?

**MR. SHAW-LEFEVRE:** The bye-laws referred to are probably those which the County Council have prepared and which are now being further considered by them. These bye-laws are proposed to be made under Section 202 of the Metropolis Management Act, 1855; but it does not appear to the Local Government Board that that section empowers the County Council to provide for the matters referred to in the question.

#### INEBRIATES' RETREAT AT WALSALL.

**MR. BUCHANAN (Aberdeenshire, E.):** I beg to ask the Secretary of State for the Home Department (1) whether serious complaints have reached the Home Office with regard to the management of the Retreat for Inebriates at Old Park Hall, Walsall; (2) whether his attention has been directed to a recent case in which the licensee, having received a patient under the Act, employed him as his coachman, and knowingly allowed him on several occasions to put up his horse at a public-house; and (3) whether, for this and other contraventions of the Rules for licensed retreats issued by the Home Office, he will prosecute the

licensee, or oppose the renewal of his licence, or take such steps as will prevent the recurrence of such grave irregularities in the future?

**MR. ASQUITH:** The answer to the first two paragraphs is in the affirmative. I have forwarded the papers to the Local Authority, with whom the power of renewing the licence rests, as a case well deserving their attention.

#### TRINITY INFANTS' SCHOOL, DARWEN.

**VISCOUNT CRANBORNE (Rochester):** I beg to ask the Vice President of the Committee of Council on Education whether the Department have refused to recognise for the grant half the accommodation of Trinity Infants' School, Darwen; whether he is aware that an improvement in the condemned room was made in 1889, and that the managers have received no complaint from the Department since 1888 until 1892, and that, in 1893, the managers promised to provide new accommodation; whether the plans of a new school have been submitted and approved; and whether, under these circumstances, he will reconsider the decision of the Department to diminish the grant to this school by a sum of £50?

**MR. ACLAND:** I have inquired into the case, and I find the facts to be as stated; but Her Majesty's Inspector informs me that at each of his visits between 1888 and 1882 the unsuitability of the room in question, which is only 9½ ft. high and badly ventilated, was mentioned to the managers. A recent letter from the official correspondent of the school (dated July 24th) states that the new school will be very nearly, if not quite, completed by November next; and, on the understanding that the managers will carry out this undertaking, I will not enforce the reduction of the accommodation during the current school year.

#### THREATENING NOTICE IN CLARE.

**MR. MACARTNEY (Antrim, S.):** I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the attention of the Constabulary has been called to a placard, signed "Vengeance," threatening Colonel John O'Callaghan, and warning the men of Clare to beware of Colonel Jack and his son, and advising them to boycott their hay; whether he is

aware that these placards have been posted near Colonel O'Callaghan's residence; and what steps have been taken to protect Colonel O'Callaghan's property from injury?

**MR. J. MORLEY:** Copies of the placard referred to have been found by the police posted in various parts of the district and also close to the residence of Colonel O'Callaghan. He has 12 men from the locality cutting his meadows at present, and two of these commenced work since the posting of the notices. Ample protection is afforded to him and his property.

#### LUNATICS IN BELFAST WORKHOUSE.

**MR. SEXTON (Kerry, N.):** On behalf of the hon. Member for South Down, I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland, with reference to the Report of Dr. Plunkett O'Farrell, Inspector of Lunacy, on the lunatic department of the Belfast Workhouse, whether his attention has been called to the Report of the Sub-Committee appointed by the Board of Guardians to investigate the statements made by Dr. O'Farrell; whether this Sub-Committee have now practically adopted the Report of the Inspector as to the state of the lunatic department, the necessity for additional attendants, the desirability of appointing in future only trained persons as attendants, the improvement of the day-room, and the removal of the present offensive closets; and whether, considering the overcrowded state of the place, anything will be done to provide increased accommodation in the interest of the afflicted inmates?

**MR. J. MORLEY:** The Guardians have practically adopted the recommendations of Dr. O'Farrell, and have submitted to the Local Government Board plans of extensive additions to the workhouse for the accommodation of lunatics, at an estimated cost of over £6,000. These plans have been approved of by the Local Government Board, and the Guardians are now considering the question of carrying on the works.

#### FEMALE ASSISTANT TEACHERS IN IRELAND.

**MR. SEXTON:** On behalf of the hon. Member for South Down, I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is

aware that female assistant teachers under the National Board in Ireland are paid 10s. per annum under third class salary, no matter what their classification is, whereas male assistant teachers are paid full third class salary, although the former are quite as responsible for the literary proficiency of their divisions of schools as are the latter, and are besides solely responsible for a very extended course of instruction in needlework; whether this state of affairs was aggravated in 1892 by disallowing the female assistants the 20 per cent. on those 10s.; what reason there was for first establishing this difference; and whether any reason now exists for continuing it; if not, whether provision will be made to abolish this anomalous disparity?

**MR. J. MORLEY:** Assistant teachers, males and females, are paid fixed salaries, not class salaries. This principle was laid down by the Government in 1879, when they fixed the salary for a male assistant at £35, and for a female assistant at £27. The rate of £35 for a male assistant happened to be coincident with the third class salary for male principals; but that for female assistants did not coincide with any class salary. In some cases, that is, of mixed schools under principal male teachers, it is quite true that the female assistants have necessarily the entire charge of the needlework. It is not so in schools where the principals are females. The Education Act of 1892, which increased the salaries, distinguishes between "class salaries" and the "salaries of assistant teachers," in awarding 20 per cent. augmentation of salary to both. The female assistants receive the full augmentation of salary allowed to them by the Act—namely, the 20 per cent. added to the £27 fixed salary. The Commissioners inform me that it has not hitherto occurred to them that the matter referred to called for action on their part, and that as it would cost much to accomplish, the Treasury would resist any change.

#### THE ADMINISTRATION OF CYPRUS.

**ADMIRAL FIELD** (Sussex, Eastbourne): I beg to ask the Under Secretary of State for the Colonies whether the attention of the Secretary of State for the Colonies has been called to the

*Mr. Sexton*

Report on Cyprus, issued recently, where it is stated (page 51) by District Commissioner at Limassol that the abolition of the post of Mudir is much to be regretted; that he frequently feels the needs of such assistance, having 112 villages to communicate with; and, further, he considers that officials of this class should reside in the sub-districts of Limassol and Kilani; whether any attention will be paid to this strong expression of opinion by the District Commissioner; and whether his observations on the discontent of the Mukters at their insufficient remuneration, and his previous Report on the subject, will lead to their grievances being redressed as far as possible?

**THE UNDER SECRETARY OF STATE FOR THE COLONIES** (Mr. S. BUXTON, Tower Hamlets, Poplar): Mr. Michell's complaint that he has not as much assistance as he considers that he ought to have has been noted. But this is a not infrequent complaint on the part of public servants; and it is one upon which the Government must reserve its liberty of action to deal with according to the merits of the case and the means at its disposal. As regards the village Mukters, of whom there are probably 800 or 900 in the Island, their position and rights had been recently regulated by a law of the Local Legislature, and I cannot say whether anything can be done to meet their alleged grievances; but the Secretary of State will ask the High Commissioner for a Report on the passage in Mr. Michell's Report to which the hon. and gallant Member has called attention.

#### CAPE ANDREA.

**ADMIRAL FIELD:** I beg to ask the President of the Board of Trade whether his attention has been called to the Report on Cyprus recently issued (page 49) by District Commissioner at Famagusta relative to the Lights on the Island, in which the Commissioner states that an additional light is sorely needed at Cape Andrea, the northernmost point in the island, and he hoped before long ships will be provided with this means of protection from this exposed and dangerous spot; and whether any steps have been taken to supply the deficiency complained of?



**MR. BRYCE** : Yes, Sir ; I have seen the Report referred to. The lighting of the coast of Cyprus is undertaken not by the Board of Trade but by and at the expense of the Cyprus Government. The Board have already advised in the matter of the existing lights on the Island, and, when applied to, will advise in the matter of any future light.

**ADMIRAL FIELD** : Is the right hon. Gentleman aware that the Board of Trade are responsible for Indian and Colonial lights ? Will he indicate his opinion to the Governor of the Island that a light is needed ?

**MR. BRYCE** thought they were hardly entitled to obtrude their opinion on the subject unless they were asked for it. No doubt the Cyprus Government would consider the Report.

**MR. GIBSON BOWLES** : Are not the Board of Trade responsible for the lights at Sombrero Island and the Bahamas ?

**MR. BRYCE** : That is a different matter altogether. The position of Cyprus is a very peculiar one.

#### ANDERBY CHURCH SCHOOL, LINCOLNSHIRE.

**MR. TALBOT** (Oxford University) : I beg to ask the Vice President of the Committee of Council on Education whether there is at Anderby Church School, Lincolnshire, a porch which is used as a cloakroom ; whether, nevertheless, the Department have ordered an additional porch and cloakroom, either separate or combined ; whether the existing porch measures  $7\frac{1}{2}$  feet by  $51\frac{1}{2}$  feet ; and whether that is sufficient for a school with an average attendance of 36 ?

**MR. ACLAND** : The existing porch at this school measures  $7\frac{1}{2}$  feet by  $4\frac{1}{2}$  feet, and was considered by Her Majesty's Inspector to be insufficient. The managers have submitted plans for a new porch and cloakroom combined, which are now under consideration. The present porch seems hardly large enough for a cloakroom, even for so small a school, but if the managers press to be allowed to retain it unaltered I will consider the matter further.

#### SALMON FISHING PROSECUTIONS AT OBAN.

**SIR D. MACFARLANE** (Argyll) : I beg to ask the Lord Advocate whether

his attention has been called to the case of Colin Carmichael, Colin M'Intyre, John Mackenzie, and Donald M'Tavish, of Oban, who were tried on the 1st of August, 1893, on a charge of fishing for salmon, and fined £3 8s. 9d. each, including costs, or 14 days' imprisonment ; whether he is aware that Mackenzie and M'Tavish paid their fines ; that M'Intyre and Carmichael, being unable to do so, offered themselves at the expiry of 14 days to undergo the alternative of imprisonment ; and that the sentence of imprisonment was held over these two men until the end of June this year, when they were suddenly apprehended and put in prison ; and whether it is lawful or according to practice to keep a sentence of this kind hanging over men for nearly a year ?

**MR. J. B. BALFOUR** : My information is that Mackenzie and M'Tavish paid their fines, and that M'Intyre and Carmichael failed to do so, but that in the course of last winter they offered to undergo the sentence of imprisonment, to which the Governor of the gaol declined to give effect, as he had no warrant. They were recently apprehended and lodged in prison. The course which has been taken is certainly very unusual, and I have communicated with the Clerk to the District Board to ask for further explanation. I may remind my hon. Friend that prosecutions of this kind do not proceed at the instance of the Crown.

#### LOCH TARBERT FISHERIES.

**SIR D. MACFARLANE** : I beg to ask the Lord Advocate if his attention has been called to the refusal of Mr. Campbell, of Jura, to allow fishermen to land on the shores of Loch Tarbert, Jura, material for the curing of fish, and thus practically prohibit the fishing industry in that neighbourhood ; and if landed proprietors are entitled to refuse the use of the foreshores to fishermen and fish curers ?

**\*MR. J. B. BALFOUR** : I have no further information in regard to the facts than is conveyed in the question, but I may say that fishermen have by statute a right to use any land adjoining the sea shore, which may be at the time waste and uncultivated, for purposes incidental to the conduct of their enterprise.

SIR D. MACFARLANE asked if a proprietor was not liable to a penalty of £100 for refusing permission to the fishermen?

MR. J. B. BALFOUR: I am not aware of that.

#### THE COREAN DIFFICULTY.

SIR E. ASHMEAD-BARTLETT (Sheffield, Ecclesall): I beg to ask the Under Secretary of State for Foreign Affairs whether any reply has been received from the Governments of China and Japan to the offer of mediation made by Her Majesty's Government; and whether he can give the House any information as to the alleged outbreak of hostilities?

SIR E. GREY: No offer of mediation has been made, but Her Majesty's Government have, in concert with other Powers, given friendly advice both at Peking and Tokio in the interests of peace. We have not heard that war has been declared; but some Japanese war vessels have captured a Chinese vessel and sunk a transport. Accounts as to the origin of this encounter are conflicting.

#### THE REGISTRATION OF CYCLES.

MR. GIBSON BOWLES: I beg to ask the Secretary of State for the Home Department whether he is aware that in cases of accident in public thoroughfares, in which persons riding bicycles and tricycles are concerned, such persons frequently give a false name and address; and whether he will consider the propriety of taking such measures as may be open to him to cause all bicycles and tricycles to be registered and numbered in such a way and under such conditions as would ensure the identification of their owners, either by such a system as is now applied to hackney carriages, or otherwise?

MR. ASQUITH: I have no doubt that false names and addresses are sometimes given by persons riding bicycles and tricycles. I have before stated that the proposal to number cycles, with a view to their easy identification, is worthy of consideration; but from the growing number of this class of vehicle, and the rapidity with which they change hands, the question is surrounded with practical difficulties.

#### LORD LIEUTENANCY OF LIMERICK.

MR. O'KEEFFE (Limerick): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he can state at what time the appointment to the vacant position of Lord Lieutenant and Custos Rotulorum for Limerick will be announced?

MR. J. MORLEY: I hope that it will be announced very shortly.

#### WAGES IN GOVERNMENT DOCKYARDS.

SIR G. BADEN-POWELL (Liverpool, Kirkdale): I beg to ask the Civil Lord of the Admiralty, in regard to the new Regulations for work and wages in the Government Dockyards, whether the Government has entered into an agreement, virtual or actual, that, in the case of daywork rates, no person is to receive a less sum in wages for the reduced 48-hour week than was formerly paid for the 50 or 51-hour week; whether this standard of "what was formerly paid" is definitely adopted, as minimum rate of wages; and whether this standard is to be maintained without reference to the current rate of wages paid in such employments should that rate fall below this standard?

THE CIVIL LORD OF THE ADMIRALTY (Mr. E. ROBERTSON, Dundee): (1.) The Admiralty Instructions issued in the dockyards are—

"In the case of all men and women paid on day pay rates no person is to receive less money for working 48 hours per week than for working (as heretofore) a mean of 50½ and 51 hours respectively."

(2.) The standard weekly wage formerly paid to each man before the 48-hours working week was introduced has been adopted as a minimum rate of wages.

(3.) The standard of wages in the Government Dockyards is maintained at the same authorised rate, irrespective of any fall in the rate of wages in the private trade.

#### ZOBEHR PASHA.

SIR G. BADEN-POWELL: I beg to ask the Under Secretary of State for Foreign Affairs whether he is aware of the claims of Zobehr Pasha for compensation in regard to property in territories, rights over which have now been ceded by Her Majesty's Government in

the Congo Treaty; whether such compensation was specifically promised by the late General Gordon, with the knowledge of Lord Cromer, on condition that Zobeir Pasha was proved not to have written a certain letter then in the possession of the Government; whether these claims have ever been fully investigated and reported upon by the judicial adviser of the Egyptian Government; and whether Her Majesty's Government will undertake that an independent judicial Commission shall issue to investigate and determine these claims, and thus carry out the undertaking entered into by the late General Gordon?

\*SIR E. GREY: Her Majesty's Government are not aware of Zobeir Pasha having any claims in regard to territories affected by the Agreement of May 12 between Great Britain and the King of the Belgians, as Sovereign of the Congo State. As regards Zobeir's claim to compensation for property which was confiscated by the Egyptian Government 15 years ago, General Gordon did undertake to recommend that he should be compensated if it were proved that a certain letter, of which General Gordon had seen the original and retained copies, did not exist, and that his property had been unjustifiably confiscated. The Report of the interview at which this statement was made, which took place in Lord Cromer's presence, will be found in Egypt, No. 12, 1884, pages 40 and 41. Her Majesty's Government are not aware whether these claims have been referred to the Judicial Advisers of the Egyptian Government, but they see no ground for their interference in respect of these claims of Zobeir Pasha, an Egyptian subject, against the Government.

#### THE EXPLOSION IN THE SOLENT.

SIR G. BADEN-POWELL: I beg to ask the Secretary of State for the Home Department, in reference to the recent explosion on the Brambles, which caused such a lamentable loss of eight lives among the Cowes Trinity House employés, whether it is the general practice of the Trinity House still to use time fuses in the removal of wrecks by means of explosives instead of electric firing; what is the certified training in dealing with explosives required in the superintending officials; and what will

be the character of the inquiry into this disaster?

MR. ASQUITH: Colonel Ford, one of Her Majesty's Inspectors of Explosives, by my direction, is at present conducting an inquiry, under the Explosives Act, into all the circumstances attending this accident. The question of the kind of fuse employed and the competency of those superintending the operations will form part of the inquiry, and as soon as the Report is completed it will, as is usual in such cases, be laid before Parliament without delay.

#### BAR PRACTICE AT QUARTER SESSIONS.

MR. WEIR: On behalf of the hon. Member for Peterborough, I beg to ask the Secretary of State for the Home Department whether there is any Rule to prevent barristers whose fathers are Chairmen of Quarter Sessions practising at such Sessions?

MR. ASQUITH: I am not aware of any such Rule which prevents barristers from practising before their fathers.

#### LEIGHLINBRIDGE (COUNTY CARLOW) NATIONAL SCHOOL.

DR. KENNY (Dublin, College Green): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he will grant the Return asked for in Notice of Motion this day, in reference to the Leighlinbridge (County Carlow) Female National School?

MR. J. MORLEY: I have no objection to this Return.

MR. T. M. HEALY: Is it proposed to give in this Return as a State Paper the "Report of the National Teachers' (Ireland) Organisation on the dismissal of the female teachers of the Leighlinbridge National School"?

MR. J. MORLEY said, this Return was a matter which the Commissioners of National Education thought in their judgment should be granted, and they thought the head in the Return referred to was quite fair to be included.

#### WAGES AT THE ROYAL VICTORIA YARD AT DEPTFORD.

MR. FISHER (Fulham): On behalf of the hon. Member for Deptford, I beg to ask the Civil Lord of the Admiralty whether the coopers employed under the Admiralty, particularly those in the

Royal Victoria Yard at Deptford, have, as the result of a Memorial requesting an increase of wages, been paid since 26th March last until Friday 20th July at the rate of 5s. a day for day-work instead of 4s. 4d., the rate previous to their Memorial; and whether orders have lately been issued that these men's pay be at once reduced to the former rate of 4s. 4d.; if so, for what reason has any change been made?

MR. E. ROBERTSON: The large majority of the coopers, although only receiving 4s. 4d. a day substantive pay, are in receipt of pay for piece-work, earning up to 42s. a week, but the rate of pay on which their pensions had been calculated was 4s. 4d. a day, or 26s. a week. The Treasury have lately consented to this rate being raised for pension purposes to 30s. a week in the case of men earning an average of that amount. A misunderstanding arose in communicating this decision to the Yard, who have actually paid the men 5s. a day for those days on which they were not working piece-work. It has been necessary to correct this mistake.

#### RELIGIOUS INTOLERANCE IN HYDE PARK.

MR. W. JOHNSTON (Belfast, S.): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the attacks made in Hyde Park on Mr. Job Williams, on Thursday night the 26th instant, by Roman Catholic mobs, in consequence of his utterances concerning Roman Catholicism; and whether freedom of speech, which is extended there to the expression of all manner of opinions, will also be secured to those who deal with questions of a controversial character affecting the doctrines and principles of the Reformation?

MR. ASQUITH: For some two or three weeks ago Mr. Williams has held meetings in Hyde Park, in which he denounces in strong language the Roman Catholic religion. At the same time, another gentleman has spoken at another meeting and denounced the Protestant religion. [Mr. W. JOHNSTON: That is only fair.] Mr. Williams appears to have commenced the controversy and to have used strong language, and it became necessary for the police to interfere in order to prevent violence. As far as the

Regulations of the park with regard to public meetings are concerned, freedom of speech will be secured as far as possible.

MR. W. JOHNSTON: Have any attacks been made upon the speakers who have denounced Protestantism?

[No answer was given.]

#### NAVAL SERVICE ON THE AUSTRALIAN STATION.

MR. GOURLEY: I beg to ask the Secretary to the Admiralty if he is aware that considerable anonymous discontent exists among the crews of the *Curaçoa*, *Rapid*, and *Lizard*, in consequence of their being compulsorily detained on the Australian Station beyond the usual period; whether the Admiralty have received any information that one of the vessels, the *Curaçoa*, is in an unseaworthy condition, and must be docked before returning home; and will he state when these ships were last docked, and the tenour of the Report as to their condition in hulls and machinery?

SIR U. KAY-SHUTTLEWORTH: "Anonymous discontent" seems a somewhat nebulous phrase. But if anonymous letters have reached my hon. Friend, I would suggest to him that it is not desirable in the best interests of our Navy to give public currency to such unvouched complaints, of which, obviously, the Admiralty can take no notice. No reason exists for any discontent, as I showed by the answer which I gave on June 1 to a question on the same subject from my hon. Friend. The *Curaçoa* is in a seaworthy condition, otherwise she would not have been retained on the station. She and the *Lizard* were last docked in November, 1893; the *Rapid* in November, 1892. They are all sheathed vessels. Their hulls and machinery have all been reported in good condition.

#### THE VENTILATION OF THE HOUSES OF PARLIAMENT.

MR. WEIR: I beg to ask the First Commissioner of Works if he will state whether the gases from the drainage of the Houses of Parliament are still liberated into the upcast shaft which ventilates the Chamber, notwithstanding the alterations and improvements which were made consequent upon the 1891

Report; whether his attention has been called to the evidence of Mr. John Taylor, Surveyor to the Office of Works, before the Select Committee on House of Commons (Ventilation), 1891, in which he stated that there might sometimes be a back draught, and sewer gas would then come down the shaft, and that there are occasions when the current is distinctly downwards in a shaft; whether he is aware that the vitiated air from the building generally and sewer gas in the upcast shaft has, under certain conditions, a tendency to enter the Chamber, to the detriment of the health of the Members and the officials; and whether steps will be taken to remedy this serious state of matters during the Recess?

\*THE FIRST COMMISSIONER OF WORKS (Mr. H. GLADSTONE, Leeds, W.): It is a fact that vitiated air from a part of the drainage system of the Houses of Parliament is liberated into the upcast shaft which draws off the foul air from this Chamber. But since the recent remodelling of the drainage the furnaces in the exhaust shafts are kept burning day and night throughout the year, maintaining a constant and powerful upward current. There is now, therefore, no tendency whatever for any vitiated air or sewer gas to enter the Chamber from the upcast shaft in any state of the atmosphere. Mr. Taylor explains to me that his evidence in 1891 had reference only to what might occur in a shaft in which an upward current is not constantly maintained by artificial means.

#### PROSECUTIONS FOR DRUNKENNESS AT BOYLE.

MR. TULLY (Leitrim, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that it is the practice of the police in the township of Boyle to prosecute in the Petty Sessions Court persons guilty within the township of drunkenness and other offences against the Towns Improvement (Ireland) Acts, but whose places of residence are outside the town; and whether, as the fines go to relieve the town rates when the prosecutions are brought in the Town Court, he will direct the Constabulary to bring cases of this nature in the Borough Court, in accordance with the provisions of "The Towns Improvement (Ireland) Act, 1854"?

MR. J. MORLEY: The rule is that in cases where the offender lives outside the town, or the address is unknown, the police prosecute in their own name before the Magistrates in Petty Sessions, and not in the Town Court. All other offences are tried before the Town Court. This rule operates generally throughout Ireland, and I am advised that it should not be altered.

#### NEW LONDONDERRY ASYLUM.

SIR T. LEA (Londonderry, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland (1) whether the Committee from the Board of Control, when visiting the sites at Dungiven and Derry for the proposed new asylum, did on that occasion inspect the site offered at Coleraine; and, if not, will he explain why; (2) if the site at Coleraine has been recommended as the most suitable by several representative bodies in the county as the most central in County Londonderry; (3) whether he is aware that the Grand Jury and other bodies in the county are nearly unanimous in their opposition to the site proposed at Granshaw; (4) and if, under these circumstances, the Board of Control will hold a public inquiry into the matter before deciding where the asylum should be built?

MR. J. MORLEY: The Board of Control is making careful inquiry relative to the sites offered for the new asylum. The Committee appointed by the Board to visit sites inspected only that which had been recommended by the Board of Governors at Granshaw, and those at Dungiven and Limavady, which had been brought under their notice by persons interested in those localities. (2) No site at Coleraine was recommended as the most suitable and central in the County Londonderry, but if the inquiry which is being made as to the most convenient and suitable position for an asylum for the district renders it desirable an inspection will be made of the site offered near that town. (3) The Board has not been informed that the Grand Jury and other bodies in the county are nearly unanimous in their opposition to the site proposed at Granshaw. (4) The Board does not consider it will be necessary to hold a public inquiry into the matter, but will give any

representation made to it on the subject the most careful consideration.

#### THE GUBERNADOR EXPLOSION.

**SIR E. ASHMEAD-BARTLETT:** I beg to ask the Under Secretary of State for Foreign Affairs whether the Brazilian Government have given any compensation for the death of the three British naval officers who were killed in September, 1893, by the explosion on Gubernador Island?

**\*SIR E. GREY:** The Brazilian Government have not given any compensation for the death of the three officers referred to. It is impossible to deal with this claim until the cause of the explosion is known, and we are still waiting for a Report of what can be ascertained.

**SIR E. ASHMEAD-BARTLETT:** Have the British Government asked for compensation?

**\*SIR E. GREY:** We inquired as to the cause of the explosion, and were told that it was an accident. Unless other information is obtained, we cannot claim compensation.

#### BUSINESS OF THE HOUSE.

**THE CHANCELLOR OF THE EXCHEQUER** (Sir W. HARCOURT, Derby): I beg to give notice that to-morrow I will move a Resolution with the view of expediting the proceedings on the Evicted Tenants Bill. The terms of the Resolution I will lay on the Table of the House in the course of the afternoon, so that hon. Members will be able to make themselves acquainted with the details of its terms.

**MR. THORNTON** (Clapham): Will the House sit on Monday next?

**SIR W. HARCOURT:** I am afraid we cannot take Bank Holidays yet.

**MR. J. LOWTHER** (Kent, Thanet): Will the Resolution be the first business, and will the Report on the Vote on Account follow it?

**SIR W. HARCOURT:** Yes.

**MR. CHAPLIN** (Lincolnshire, Sleaford): I would remind the Chancellor of the Exchequer that on the last occasion when a Vote on Account was taken, the Debate was brought to a close by the application of the Closure when an Amendment, practically amounting to a Vote of Censure on one of the Ministers, was about to be brought on, and I would

*Mr. J. Morley*

ask whether, if the occasion should arise to-day, an opportunity will be given to Members of the Opposition for bringing forward such a Motion?

**SIR W. HARCOURT:** If there is to be a Vote of Censure on the Government, it can be put early, so that the decision of the House may be taken upon it.

**MR. CHAPLIN:** In the event of the Motion for which the Chancellor of the Exchequer has given notice taking up a large part of the time of the House, and probably occupying the greater part of to-morrow, will adequate time be given for the discussion of the Report stage of the Vote on Account?

**SIR W. HARCOURT:** I am not able to give more time to-morrow than will be available on that day, because the Report stage must be concluded to-morrow in order that Her Majesty's consent to it may be obtained on Wednesday.

**MR. T. W. RUSSELL** (Tyrone, S.): May I ask when the Government propose to go on with the Evicted Tenants Bill?

**SIR W. HARCOURT:** Immediately after the Vote on Account—on Wednesday.

#### MOTION.

NATIONAL EDUCATION (IRELAND)  
(LEIGHLINBRIDGE FEMALE SCHOOL).

#### MOTION FOR A RETURN.

**DR. KENNY** (Dublin, College Green) moved for copies of the following Papers:—

"(a) Report of the National Teachers' (Ireland) Organisation on the dismissal of the female teacher of the Leighlinbridge (County Carlow) National School;

(b) Copy of Complaint which the manager of said school, the Rev. J. Connolly, P.P., made to the Commissioners of National Education (Ireland) on publication of said Reports;

(c) Copy of Communication addressed by the secretaries of the National Board to the school managers of the three teachers whose conduct was complained of;

(d) Copies of the Explanations offered by those teachers, and also of the Communications from their managers on the same subject; and

(e) Minute of the Action taken by the Board in regard to those teachers, with the date on which the cases were decided."

**MR. T. M. HEALY** (Louth, N.) objected that some of the information proposed to be included in the Return was



non-official, and be thought that an opportunity should be given to the other side to state their case.

DR. KENNY said, he could not understand the opposition. The National Board was quite willing to grant the Return. The only reason could be to exclude some portion of light upon a matter which had caused a great deal of anxiety to persons solicitous for the well-being of a large class of Her Majesty's subjects.

MR. J. MORLEY : I was informed at first there was some objection to a portion of this Return, and in consequence of that I intended to take into consideration the granting it. But I have since learned that the objection locally is not a strong one, and, therefore, I have agreed to the Return.

Motion agreed to.

## ORDERS OF THE DAY.

### SUPPLY—COMMITTEE.

SUPPLY,—considered in Committee.

(In the Committee.)

### CIVIL SERVICES AND REVENUE DEPARTMENTS, 1894-5.

#### THIRD VOTE ON ACCOUNT.

Motion made, and Question proposed, "That a further sum, not exceeding £3,583,150, be granted to Her Majesty, on account, for or towards defraying the Charges for the following Civil Service and Revenue Departments for the year ending on the 31st day of March, 1895, namely:—

#### CIVIL SERVICES.

##### CLASS I.

|                                                             |         |
|-------------------------------------------------------------|---------|
| Harbours, &c., under Board of Trade, and Lighthouses Abroad | £ 3,000 |
| Peterhead Harbour                                           | 3,000   |
| Rates on Government Property                                | 10,000  |
| Public Works and Buildings, Ireland                         | 20,000  |
| Railways, Ireland                                           | 20,000  |

##### CLASS II.

|                                                  |        |
|--------------------------------------------------|--------|
| United Kingdom and Ireland—                      |        |
| House of Lords, Offices                          | 7,000  |
| House of Commons, Offices                        | 7,000  |
| Treasury and Subordinate Departments             | 10,000 |
| Home Office and Subordinate Departments          | 10,000 |
| Foreign Office                                   | 7,000  |
| Colonial Office                                  | 5,000  |
| Privy Council Office and Subordinate Departments | 1,000  |

|                                             |          |
|---------------------------------------------|----------|
| Board of Trade and Subordinate Departments  | £ 20,000 |
| Mercantile Marine Fund, Grant in Aid        | 15,000   |
| Bankruptcy Department of the Board of Trade | —        |
| Board of Agriculture                        | 3,000    |
| Charity Commission                          | 4,000    |
| Civil Service Commission                    | 4,000    |
| Exchequer and Audit Department              | 4,000    |
| Friendly Societies, Registry                | 1,300    |
| Local Government Board                      | 20,000   |
| Lunacy Commission                           | 500      |
| Mint (including Coinage)                    | —        |
| National Debt Office                        | 2,000    |
| Public Record Office                        | 2,000    |
| Public Works Loan Commission                | 1,000    |
| Registrar General's Office                  | 3,000    |
| Stationery Office and Printing              | 80,000   |
| Woods, Forests, &c., Office of              | 2,000    |
| Works and Public Buildings, Office of       | 7,000    |
| Secret Service                              | —        |

#### Scotland—

|                            |       |
|----------------------------|-------|
| Secretary for Scotland     | 1,000 |
| Fishery Board              | 4,000 |
| Lunacy Commission          | 500   |
| Registrar General's Office | 500   |
| Board of Supervision       | 1,000 |

#### Ireland—

|                                          |        |
|------------------------------------------|--------|
| Lord Lieutenant's Household              | 500    |
| Charitable Donations and Bequests Office | 200    |
| Local Government Board                   | 25,000 |
| Public Record Office                     | 500    |
| Public Works Office                      | 3,000  |
| Registrar General's Office               | 2,000  |
| Valuation and Boundary Survey            | —      |

### CLASS III.

#### United Kingdom and England:—

|                                                   |        |
|---------------------------------------------------|--------|
| Law Charges                                       | 12,000 |
| Miscellaneous Legal Expenses                      | 3,000  |
| Supreme Court of Judicature                       | 30,000 |
| Land Registry                                     | 1,000  |
| County Courts                                     | 2,000  |
| Police Courts (London and Sheerness)              | 1,000  |
| Police, England and Wales                         | 5,000  |
| Prisons, England and the Colonies                 | 60,000 |
| Reformatory and Industrial Schools, Great Britain | —      |
| Broadmoor Criminal Lunatic Asylum                 | 4,000  |

#### Scotland:—

|                               |        |
|-------------------------------|--------|
| Law Charges and Courts of Law | 10,000 |
| Register House, Edinburgh     | 3,500  |
| Crofters Commission           | 1,000  |
| Prisons, Scotland             | 10,000 |

#### Ireland—

|                                                          |         |
|----------------------------------------------------------|---------|
| Law Charges and Criminal Prosecutions                    | 6,000   |
| Supreme Court of Judicature, and other Legal Departments | 12,000  |
| Land Commission                                          | 10,000  |
| County Court Officers, &c.                               | 16,000  |
| Dublin Metropolitan Police, &c.                          | 10,000  |
| Constabulary                                             | 150,000 |
| Prisons, Ireland                                         | 15,000  |
| Reformatory and Industrial Schools                       | —       |
| Dundrum Criminal Lunatic Asylum                          | —       |

## CLASS IV.

|                                                                             |         |
|-----------------------------------------------------------------------------|---------|
| United Kingdom and England—                                                 | £       |
| Public Education, England and Wales                                         | 850,000 |
| Science and Art Department, United Kingdom                                  | 100,000 |
| British Museum                                                              | 10,000  |
| National Gallery                                                            | - -     |
| National Portrait Gallery                                                   | - -     |
| Scientific Investigations, &c., United Kingdom                              | - -     |
| Universities and Colleges, Great Britain, and Intermediate Education, Wales | - -     |
| London University                                                           | - -     |
| Scotland—                                                                   |         |
| Public Education                                                            | 50,000  |
| National Gallery                                                            | 500     |
| Ireland—                                                                    |         |
| Public Education                                                            | 50,000  |
| Endowed Schools Commissioners                                               | - -     |
| National Gallery                                                            | 400     |
| Queen's Colleges                                                            | 500     |

## CLASS V.

|                                           |        |
|-------------------------------------------|--------|
| Diplomatic Services and Consular Services | 30,000 |
| Slave Trade Services                      | - -    |
| Colonial Services, including South Africa | 20,000 |
| Subsidies to Telegraph Companies, &c.     | 5,000  |

## CLASS VI.

|                                                              |        |
|--------------------------------------------------------------|--------|
| Superannuation and Retired Allowances                        | 50,000 |
| Merchant Seamen's Fund Pensions, &c.                         | - -    |
| Savings Banks and Friendly Societies                         | - -    |
| Deficiency                                                   | - -    |
| Miscellaneous Charitable and other Allowances, Great Britain | 500    |
| Pauper Lunatics, Ireland                                     | - -    |
| Hospitals and Charities, Ireland                             | 7,000  |

## CLASS VII.

|                                      |        |
|--------------------------------------|--------|
| Temporary Commissions                | 2,500  |
| Miscellaneous Expenses               | 250    |
| Diseases of Animals                  | 50,000 |
| Highlands and Islands of Scotland    | 5,000  |
| Repayments to the Local Loans Fund   | - -    |
| Hobart (Tasmania) Exhibition, 1894-5 | - -    |

Total for Civil Services - £1,903,150

## REVENUE DEPARTMENTS.

|                            |           |
|----------------------------|-----------|
| Customs                    | 130,000   |
| Inland Revenue             | 300,000   |
| Post Office                | 1,000,000 |
| Post Office Packet Service | - -       |
| Post Office Telegraphs     | 250,000   |

Total for Revenue Departments £1,680,000

Grand Total - £3,583,150

SIR A. ROLLIT (Islington, S.) said, he wished to call particular attention to the question of rates of Government property, and in order to raise the point he would move to reduce the Vote by £100. Recently the House had been discussing the question of the comparative taxation of real and personal property, and an adjustment had been made which had commended itself to the general feeling of the House by the equalisation of duties in respect of it. But there were still some anomalies, and among those was the complaint of real property that it was subject to undue pressure in respect of local taxation. He thought there was a *prima facie* case for inquiry into this matter, and he hoped after the pledge of the Secretary for India a conclusion fair to both real and personal property would be arrived at. But there were other anomalies which hardly needed inquiry so palpable were they, and among these was the necessity of resorting to a different system in connection with the rating of real property. It had often been said in the course of discussions in the House on labour and other questions that the Government should set an example, and he would ask the Secretary to the Treasury if he did not think that in relation to the rating of Government property a better example might be set by the State, with a view to the better adjustment of the burdens of local taxation on real property. It was said with truth that the Government were in possession of a peculiar and very profitable privilege in assessing the value of their own property so far as local rates were concerned. Of course, if the values were not properly assessed other owners of real property had to bear an undue proportion of the local burdens. The valuations were made by the Treasury valuer, and, from a recent Return presented to the House, the under-valuations of property belonging to Government were such as grievously to affect other owners of real property. There were some typical instances which indicated a very vast difference of opinion between the Treasury Valuer and the valuers for the Local Authorities. The complaint came not only from individual owners of real estate, but also from the London County Council, and certainly if the figures which had been published were correct there could be no doubt whatever

that the under-valuation of Government properties cast a heavy burden on other owners of property. Every parish in London contained more or less Government property, and was consequently more or less affected by its under-valuation. He would take four or five instances and leave it to the Committee to say whether or not these Government properties were properly valued. His first case was, Somerset House. The Government valuation of the site and buildings was £7,000 a year, whereas the County Council valuation of the site only was no less than £27,450—or, practically, four times the amount fixed by the Treasury Valuer. The Government valuation of the British Museum was £3,500 a year for site and buildings, as against the County Council valuation for the site alone of £14,700 a year; the Government valuation of the National Gallery for site and buildings was £2,000 a year, while the County Council valuation for the site alone was £6,880; in the case of the Treasury buildings the respective valuations were £5,800, against £15,386, and in the case of the Foreign Office and adjoining Government buildings £11,600, against £32,530. These figures spoke for themselves. No one who was at all familiar with the value of property in London could conceive that the valuation by the Government for rating purposes could be contended for as fair in any instance. Speaking generally, it seemed to him that the conclusion at which he had arrived—namely, that most Government property was undervalued by three-fourths of its true value—was right, and that it was a matter which called loudly for redress and readjustment. He had felt bound to draw attention to this matter in the interests of ratepayers generally, and he therefore proposed to move the reduction of the Vote by £100.

Motion made, and Question proposed,

"That the Item (Class I., Vote 13), of £10,000, for rates on Government Property, be reduced by £100."—(*Sir A. Rollit.*)

\*SIR J. GOLDSMID (St. Pancras, S.) said, he wished heartily to support the Amendment. There were some parishes in London where there were large blocks of Government property, the proportion being nearly as high as one-fourth Government property and three-fourths private property, and as the valuation of

the Government property was sometimes as low as a quarter or a fifth, the remainder fell as an extra burden upon the ratepayers. That seemed to be extremely unfair. At one time it was the law that no rates should be charged upon Government property at all, but it was then pointed out that the Government buildings might be aggregated in three or four parishes, thereby doubling and even quadrupling the burden on a small number of ratepayers. In consequence, the Government of the day agreed to give a voluntary contribution to the local rates. He thought it would be much more fair if all Government property were rated exactly in the same way as private property, and he trusted the Government would adopt this solution of the difficulty.

SIR R. WEBSTER (Isle of Wight) said, one view of the question which justified an inquiry was that parishes and unions *inter se* contributed to the general burden in proportion to their total rateable value, and when total valuations were taken too low a value was put on one property and too high a value on another. For purposes of taxation and rateability the same standard ought to be adopted for all properties. He had been much struck by the figures quoted by the hon. Member for South Islington. Those who had had anything to do with valuations knew well that extravagant values were sometimes put on property, even by the London County Council, for the purpose of supporting particular propositions as against a private owner whose property was supposed to have increased in value, but he did not think it would be suggested that the valuations put on the Government property were excessive. Somerset House covered probably eight or ten acres of land, if not more, and it was perfectly ridiculous to suggest that its rental value was only £7,000. He was not there to support the County Council valuations, but he did think it right to say—and he had often found himself unable to approve the proceedings of that body—that he had found their valuations made with extreme care and moderation. He hoped that this matter would be pressed home, and that the right hon. Gentleman opposite, who thoroughly understood the matter, would be able to give the Committee some assurance that there should not be merely an acknowledgment of the grievance,

but also some practical suggestion for remedying it.

Mr. HANBURY (Preston) said, he was glad that the question had been raised. It was one of principle as well as of detail, and he could not understand why the Government should invariably claim to be treated in a different manner to the private individual. They learned in the Debates on the Finance Bill how differently the Government treated its debtors as compared with the treatment they would get from private creditors. He objected to the principle altogether, because, after all, the Government were only acting on behalf of the public, and the question of rating was a question between the general and the local public. He hoped that these Government exemptions would soon be put an end to altogether, and he thought that if a private individual acted on these questions in the same manner as the Government, he would be accused of lacking common honesty. He hoped the Amendment would be pressed to a Division. In his opinion, the House ought to lay down a rule that Government property ought to be rated on exactly the same basis as private property.

Mr. J. ROWLANDS (Finsbury, E.) said, he wished to endorse all that had been said by previous speakers on this question, and he hoped the Secretary to the Treasury would give a favourable answer to the appeal that had been made to him. The parish of St. Luke afforded a typical instance of the undue burdening of private property owners. It was a small parish of about 220 acres, but in it they had a Militia barracks, a local police court, a post office, and other public buildings, which paid by no means a fair proportion of the local rates. In addition to that, they had three large drill halls, including that belonging to the City of London. These were exempted from rates, and he ventured to say that the exemptions were now becoming intolerable. If all property were assessed in the ordinary way, then, and then alone, justice would be done.

\*THE SECRETARY TO THE TREASURY (Sir J. T. HIBBERT, Oldham) said, the hon. Member for Preston seemed to speak as if the Government were not paying a fair amount towards the rates by reason of the under-valuation of public buildings. That was not correct, and

there was considerable misapprehension abroad as to the way in which Government properties were valued. He believed, however, that the assessment committee in nearly every parish considered the amount contributed by the Government to be reasonable, and he could cite numerous letters to that effect.

SIR R. WEBSTER: Is that the case with regard to Somerset House?

SIR J. T. HIBBERT said, that when he came to deal with that instance he thought he would be able to show that that statement applied to it. No doubt the time might come when all Government property would be valued for the purposes of local rates exactly in the same way as private property. This had been a matter of steps. At one time Government property was not assessed at all, and it was only within the last 35 years that the Government had contributed to the rates at all. There were two cases in which public buildings were only liable to a limited extent, such, for instance, as the Royal Courts of Justice, which were exempted by Act of Parliament from assessment beyond a certain amount, and possibly it might be well for the Government to give up their rights in that respect and place these Courts of Law on the same footing as the other Government property. In regard to Somerset House, his hon. Friend was certainly under a misapprehension. He stated it was rated at £7,000. As a matter of fact, it was valued at £12,000 gross, and that figure was arrived at in 1891 in the following way:—King's College, which occupied the eastern wing of Somerset House, and for which the Government were in no way responsible, was assessed at that time at £3,000 by the Surveyor and Assessment Authorities of the parish, and was regarded as being about one-fifth of the block, and they therefore agreed to fix the value of the remaining four-fifths of the buildings at exactly the same rate. The Government proportion was, therefore, fixed at £12,000 gross and £10,000 net. The hon. and learned Member for the Isle of Wight had asked if the assessment committee were satisfied. Well, the clerk of that body wrote on the 30th May, 1891—

"I have now to inform you that the assessment committee, having considered the propositions they agreed to, have resolved to accept the

*Sir R. Webster*

same as being, on the whole, fair and reasonable."

Next, he came to the National Gallery and the British Museum. The former was rated not at £2,000, but at £3,600 gross and £3,000 net, and the latter at a similar amount. Now, he would remind the House that by an Act passed in 1843 Museums and Galleries and other properties used for science and art purposes were exempted from rates. Had the Treasury, therefore, claimed their full rights, they need not have paid on these buildings. But the local Rating Authorities in each instance had concurred in the view taken by the Government. In the case of the British Museum assessment committee of the united parishes of St. Giles-in-the-Fields and George, Bloomsbury, wrote—

"I am directed to inform you that the valuation of the Museum and Government property in these parishes, as agreed upon at our meeting here on the 30th ultimo, is regarded as a satisfactory basis for the Treasury contribution to the local rates in respect of such property."

And, again, in regard to the National Gallery, the assessment committee of the Strand Union wrote—

"The assessment committee having considered the valuation of that and other property agreed to at a preliminary meeting have resolved to accept the same as being, on the whole, fair and reasonable."

SIR A. ROLLIT: What is the allusion to preliminary meetings?

SIR J. T. HIBBERT said, these were meetings between the Treasury and the local valuers. His hon. Friend had told the House that the Treasury buildings were valued at £5,800. As a fact the valuation of those buildings was settled in 1884 at £6,960 gross and £5,800 rateable, and the assessment was confirmed by the Vestry, the Overseers, and the Finance Committee of the united parishes of St. Margaret and St. John, Westminster, whose clerk wrote under date August 1st, 1884—

"I am now directed to acquaint you that the proposals made by you in respect of the Government contribution in lieu of the rates on the Crown properties have been fully approved by the Overseers and by the Finance Committee of the united parishes, to whom the matter has been reported."

The case of the Foreign Office looked very bad on the face of it; but there was ample explanation. The figures were settled in the year 1878 at £11,520 gross and £9,600 rateable,

and they had thus remained ever since. The reason that the Foreign Office appeared to pay so small a contribution was because the rate of £11,520 did not include the rateable value of the India Office, which was paid for out of Indian funds.

MR. HANBURY: Has the India Office a separate valuer for this?

SIR J. T. HIBBERT: That he could not say. But he might tell the hon. Member that the Vestry had approved the 1878 valuation in these terms:—

"I have been directed to inform you that the proposed basis is quite satisfactory to the Vestry."

He could only say, in conclusion, that the Treasury had no desire to stand strictly on their legal rights, or to deal unfairly in the matter in any way. Whenever a complaint had been made to them they had invariably at once directed that the question should be looked into, and he could only again assure hon. Members that they were prepared to do their best to act fairly and liberally in the matter. As to the question raised in regard to St. Luke's, he thought the hon. Member for Finsbury was under a misapprehension, and he would find that the Government properties there were assessed if he would look into the matter. He could only say, in reply to the hon. Gentleman who had brought the question forward, that the subject was one the Treasury would give every consideration to. If only out of consideration for the poor ratepayer they would be glad to do what they could to place the valuation of Government property on a better footing.

SIR R. TEMPLE (Surrey, Kingston) said, that during the last 10 years he had perhaps seen more of this question of the valuation of Government property than any other Member of the House, and he might, therefore, be allowed to say a word or two. The right hon. Gentleman's answer was, as usual, of course, most courteous and considerate, and in many respects satisfactory. Still, there were one or two questions which appeared to hon. Gentlemen on the Opposition side of the House to arise on the statistical particulars he had placed before the Committee. If the income of Somerset House was approximately estimated at £10,000 for assessment purposes, then the sum of £9,000 for the



block of buildings in which the Foreign Office was situated—excluding the India Office—would appear to be not unfair.

SIR J. T. HIBBERT: The Foreign Office is put at £11,520.

SIR R. TEMPLE: I understood that £9,600 is the net amount.

SIR J. T. HIBBERT: Yes; that is so.

SIR R. TEMPLE said, that if Somerset House was put at £10,000, £9,000 could not be unfair for the Foreign Office block, nor £5,000 for the Treasury block. He was not sure that he had caught the figure for the India Office.

SIR J. T. HIBBERT: I did not mention any figure for that, as I have not got it. I can ascertain the amount.

SIR R. TEMPLE said, he would venture to commend the India Office to the kind and merciful consideration of the Treasury, because he could not but apprehend that while the buildings belonging to the British Government in London were very carefully protected from the rate collector, similar protection was not afforded to the India Office where the interest was not so directly that of the British Government. He hoped the right hon. Gentleman would be as careful about the rateable value of the India Office—which he thought was chargeable to India—as he had evidently been with regard to all the other blocks of buildings belonging to the Government. It seemed to hon. Gentlemen on that (the Opposition) side of the House that the sums set down for the National Gallery and the British Museum were too low. Surely £3,500 for the British Museum, and £2,500 for the National Gallery—exclusive of the new National Portrait Gallery—was not enough.

\*SIR J. T. HIBBERT said, that in the case of the National Gallery and the British Museum, under Statute exemption from the payment of rates could be claimed.

SIR R. TEMPLE said, he supposed it was for that reason that the Local Authorities so complacently acquiesced in the amounts paid by the Treasury. They saw, no doubt, that they should not look a gift horse in the mouth, but should accept whatever the Treasury were pleased to vouchsafe. Surely the time

had come when the Government must take steps—legislative or otherwise—for terminating these exemptions. There could be no reason why buildings for science and art should be exempted any more than the Law Courts, or the Law Courts any more than the science and art buildings. He submitted that the time had come when these exemptions should be altogether terminated. Surely, with regard to assessment generally, the fact that the Local Authorities had acquiesced in what seemed a most inadequate rating, pointed to the fact that the time was fast arriving when Government buildings ought to be rated just in the same manner as private property. He had spoken very strongly on this subject a year and a-half ago. The Assessing Authorities in London, who were most competent persons, dealing with private property of which the annual value was estimated at from £33,000,000 to £34,000,000—he supposed the heaviest assessment of its kind in the world—ought to be able to assess Government buildings accurately. There would always be a fear, whilst the Government Valuers were the Assessing Authority, that some sort of favour was shown to Government buildings. The Government buildings in London were large and numerous, and they ought to bear fully their share of local taxation. Independently of the buildings, the sites were amongst the most valuable in London. If they were not occupied by Government buildings they would be immediately taken for private buildings of the utmost splendour, every one of which would be assessed at full value. Therefore, it was an injustice to the rate-payers of London that there should be any exception in favour of Government property, and there would always be some apprehension of favour being shown to such property so long as the Government set itself up as judge in its own case.

\*MR. BARTLEY (Islington, N.) said, he thought this question affected London more than anywhere else. It was an important matter, not only as regarded the Estimates, but in connection with the Bill now before the House for the equalisation of rates. It must be remembered that where these Government buildings existed the population was largely reduced. Take the district of Westminster. The fact that Govern-

*Sir R. Temple*



ment buildings occupied so large an area, and that the population was, consequently, so small, would be responsible for the district paying so much under the equalisation scheme. The parishes, it seemed to him, would suffer in two ways. In the first place, they would not get what was due to them in consequence of the low rating of Government property; and, in the next place, their population was considerably reduced, and so their receipts from the Equalisation Fund would be reduced in proportion. The Local Authorities had to be satisfied with the existing assessment, whether they liked it or not; but it was absurd to say that the British Museum, assessed at £3,520 a year, was assessed at its value.

\*SIR F. S. POWELL (Wigan) said, that if the complaint was great in regard to the rateable value of Government buildings in the Metropolis he was sure it was no less great in reference to similar property in country towns. Take, for instance, the palatial Post Office building in Manchester, that now being erected in Liverpool, and the Government buildings in Leeds, and his own borough of Wigan. If hon. Members desired to be just they must apply their remarks to Government property in country towns as well as that in the Metropolis. It was quite time that a thorough system of equalisation of rates was adopted. He remembered the Debates which had taken place some years ago on this subject, and was confident that the desire of the Government in those days had been to bring about an equalisation of rates.

MR. GIBSON BOWLES (Lynn Regis) said, there was really a very serious principle underlying this matter, or rather want of principle, in the claim of the Government to be exempt from all the ordinary rules and laws that bound Her Majesty's subjects, even when they were playing the part for which those rules and laws were enacted. When the Government became possessors of houses they should pay rates for them like private individuals. The right hon. Gentleman the Secretary to the Treasury must be aware that it was no answer to read to the Committee a letter from a Vestry saying that they acquiesced in the valuation. Of course they acquiesced. They must thank the Treasury for what-

ever they could get. If they got nothing they would still have to thank the Government. If it was admitted that the Government should pay rates for the buildings they occupied, it must also be admitted that the value or rating of the buildings should be ascertained in the ordinary manner through the ordinary authorities. There was no escape from that, and he could have hoped that the right hon. Gentleman (Sir J. T. Hibbert) would have signalised his career at the Treasury by inaugurating this simple act of justice as between the Government and the ratepayer. However, he had risen to say that the extent to which the Government claimed exemptions and immunities was becoming perfectly monstrous. They became newspaper proprietors and refused to register their newspaper; they became the owners of inhabited houses and would not pay the rates; they undertook the delivery of letters, and if they lost one, or if one of their *employés* lost one purposely, they refused to compensate the owner; and it was within his knowledge that Her Majesty's Government refused to perform duties placed upon them by Parliament, and resisted attempts to compel them on the ground that an action could not be brought against the Queen—which did not really mean the Queen, but some subordinate clerk who failed in his duty. These immunities were becoming scandalous. It was monstrous in the question under discussion that a person who was asked to pay a tax should fix the amount of that tax himself. It was high time all these claims to immunity and special treatment were given up. If they wanted to be considered honest the Government should pay their rates like honest men.

SIR A. ROLLIT said, the right hon. Gentleman the Secretary to the Treasury had not only promised to consider the subject, but had expressed his personal opinion that some of the exemptions should be modified. The right hon. Gentleman in that had disarmed opposition, and he (Sir A. Rollit) would, therefore, rest content with having made a protest. He would merely point out that in Islington the Government buildings were Pentonville Prison, Holloway Prison, the County Court, the Post Office Sorting Office, Telegraph Factory, Office of Surveyor of Taxes, and Tele-

graph Office, all of which were valued at £4,246. He begged to withdraw his Amendment.

MR. HANBURY said, he thought the right hon. Gentleman had said that all science and art buildings were exempt from rating.

SIR J. T. HIBBERT : That is by Act of Parliament.

MR. HANBURY said, he understood that the Treasury did not exercise its full authority in these matters, but did allow science and art buildings to be rated under certain circumstances. Did that apply to science and art buildings in the provinces as well as in London?

SIR J. T. HIBBERT said, he could not say. He knew it applied to the National Gallery and the British Museum. He would, however, ascertain the full particulars by to-morrow.

Motion, by leave, withdrawn.

Original Question again proposed.

MR. SWEETMAN (Wicklow, E.) said, he wished to bring before Her Majesty's Government the case of Wicklow Harbour. The Secretary to the Treasury had had it brought under his notice, and, no doubt, he would be able to see his way to doing something. He (Mr. Sweetman) wished to take this opportunity, in the interest of his constituents, of stating a few facts for the consideration of the Government. Sir Alexander Rendel examined the harbour for the Commissioners, and reported on March 29. In this Report he stated—

"At various points in the outer 250 feet, on both its land and sea faces, considerable caverns have been formed by the decay and absolute disappearance of portions of the concrete. In particular, a large cavern about 30 feet long and 8 feet high by 16 feet deep in the middle, has been formed on the land face, nearly opposite another of about the same length and depth, though not so high, on the sea face; and as the diver discovered an in-draught of water at the inner cavern, it is probable that there is a connection between them; that is to say, that the pier is at this point completely undermined. . . . The defects in the faces and base of the pier must be now causing a daily easier flow of water in and out of the works, and therefore an ever-increasing rapidity of chemical decay, and this decay, if not promptly arrested, can only, I fear, end in the fall at no distant date of at least that part of the pier not founded on rock."

In a second part of this Report, in respect to the deposits between the pier and the shore, he said—

*Sir A. Rollit*

"As this further accumulation of shingle threatens to continue until, possibly, it has filled up the whole of the harbour between the pier and the opposite shore, it is clear that, unless the port is to be allowed to fall into decay, measures must be taken to stop it; and the proper measures evidently are the construction of groynes in positions where the accumulation may take place without accompanying injury to the harbour."

Now, the inhabitants of Wicklow had spent large sums of money on the harbour. In 1857 £12,000 was spent on it, which was obtained from private sources on the security of the Township of Wicklow, the interest upon which loan the Wicklow Township Commissioners were paying to the present time. By 1871 further works had been carried out at an outlay of £8,000, obtained from the Public Works Loan Commissioners; and in 1881 a loan of £40,000 was obtained from the Board of Public Works under the provisions of the Relief of Distress (Ireland) Acts, 1880, upon the security of five baronies. Up to the end of 1891 £16,257 was paid in discharge of this loan, of which the Harbour Commissioners from tolls paid a little under £1,000, and the baronies paid over £15,000. The expenses of this loan had therefore been practically borne by the cesspayers, and there was no chance of getting the baronies to guarantee any further loan. It was necessary that this harbour should be put in a proper state, as it was of great importance from a national as well as a local point of view. It was a harbour of refuge for coasting vessels—the only one between Kingstown and Wicklow, for ships could not get into Arklow. As a matter of public policy, therefore, the State should see that this harbour at Wicklow was not allowed to fall into total decay. Larger demands in the form of taxation were made from Ireland this year, which formed an especial ground for asking for consideration for this harbour.

SIR J. T. HIBBERT said, that some time ago he was in correspondence with the Irish Board of Works in regard to this harbour. It was a large question and an important one; therefore, it was necessary to take time to consider it. He was sorry to hear the hon. Member say that there was no money in the baronies for the harbour, for that also was the position of the Government. They had no money in hand for work of this kind. They would, however,

give full consideration to the matter, and he should be glad to advise with the hon. Member with regard to it.

DR. KENNY (Dublin, College Green) said, he concurred in the appeal made by the hon. Member for Wicklow. He thought the answer given by the right hon. Gentleman was on the whole satisfactory, but he should like it to be a little more precise. It was to be hoped that when the matter was taken into consideration the right hon. Gentleman would bear in mind that unless the harbour were run out into deep water it would silt up. There was a large bank of sand outside which was shifted by varying winds, and unless they got the pier heads into deep water the harbour was bound to silt up. As the hon. Member had pointed out, this harbour was important from a national point of view—as a harbour of refuge, there being nothing of the kind between Wicklow and Kingstown.

MR. HANBURY (Preston) said that, with regard to the salaries to officials in the House of Lords, he should like to know what had been the result of the negotiations which he knew had been taking place between the Treasury and the House of Lords? He had to thank the right hon. Gentleman the Secretary to the Treasury for the way he had fought the battle of the House of Commons in the matter, and for the support he had given to the Vote which, on an Amendment of his (Mr. Hanbury's), was carried last year for reducing these salaries by, he thought, £500. He knew that since then negotiations had been going on between the Treasury and the House of Lords; but he was not quite sure what the result was. In the Estimates this year they practically had no details whatever with regard to the House of Lords. He did not know what the real explanation of that might be, and under the circumstances it was desirable that they should have a full and distinct statement from the Secretary to the Treasury as to what was the position taken up in the matter. Last year it was shown that, while the duties of the officials of the other House were lighter than the duties of the officials of the House of Commons, the former were paid on a much more liberal scale. That was the reason for the passing of the Amendment to reduce the Vote for the salaries of the officials of

the House of Lords. He understood that an understanding had been arrived at between the House of Lords and the Treasury to the effect that as new appointments were made the salaries of the House of Lords' officials should be put on a corresponding scale to those of the officials of the House of Commons. If that was so he thought it would be a very satisfactory termination of the controversy. He regretted, however, that there were no details of the House of Lords Vote in the Estimates, as it compelled them to vote very much in the dark. With regard to the retirement of officials, so far as he understood the matter, the House of Lords had gone even further than the House of Commons, as they had recognised the principle that their clerks should retire at 65 except in unusual circumstances, when they might hold office five years longer. In no case would they continue in office after 70 years of age. That, again, he considered a satisfactory result of what the House of Commons had done last year. But, as he had pointed out, they had got no information whatever to go on, and he should be glad if the Secretary to the Treasury would tell him what was the precise position of affairs.

\*SIR J. T. HIBBERT said, that the hon. Member had made a correct statement of the position of affairs between the Treasury and the House of Lords. It was quite true there was no detailed statement of the Vote for the House of Lords, because the Estimates were presented in a form which the Treasury could not assent to. The Estimate exceeded by £693 the Vote agreed to last year, and the House of Lords were requested to alter their Estimate accordingly. The reply was not received in time to present the details to the House, therefore the Treasury were obliged to put in the total sum; but it was his intention to place a Paper on the Table showing how the money was to be expended, before the Vote was taken in the ordinary Estimates. The hon. Member could raise the question when the Vote came on in Supply. The House of Lords had agreed to place their clerks on the same basis of salary as the clerks of the House of Commons, and they intended to carry out considerable reductions as opportunities arose on new appointments. He believed the

reductions they proposed would be of a very satisfactory kind. They had already, under the recommendations of the Lords Committee of 1889, effected a saving of £2,104 in one direction, and of £300 under another Vote. A sum of £2,400 had already been saved, and a further saving of a like amount would accrue as appointments fell in. As to retirement, it was correct that the House of Lords had agreed that retirement at the age of 65 should be compulsory for every clerk appointed by the Clerk of Parliaments. No doubt that would be satisfactory to the hon. Member. He had no communications to make on this subject from the House of Commons, the Treasury having received none from that House.

Mr. BARTLEY said, he wished to move a reduction of £100 in the Treasury Vote with respect to the salary of the First Lord, in order to call attention to the administration of the Civil List pensions in the granting of a pension of £200 to Professor Rhys-Davids as a student of Oriental literature. He (Mr. Bartley) had asked a question on this subject some little time ago, and he thought the Committee and the House at large should certainly understand a little more about the matter than they did at present. It would be in the recollection of the Committee that by special Act of Parliament a sum of £1,200 was given for distribution in pensions for special services. The question was whether these pensions were to be given to persons who were well off or only to the necessitous. The words in the Act were "such persons only as have just claims on the Royal beneficence," and he contended that the word "beneficence" distinctly showed that only poor persons were in contemplation. In 1834 there was a Debate in the House of Commons on the Pension List, and in that Debate a great number of the leading men of the day took a prominent part. A Resolution was proposed for the appointment of a Committee of the Commons to settle what would be a fair way of granting these pensions. Lord Althorp and others thought that this would be taking away the prerogative of the Government, who were responsible, and they objected to a Committee; but it was quite clear that the whole spirit of the Debate, and of the Resolution, and also of the Act framed upon it, was to

show distinctly that these pensions were to be given to persons in necessitous circumstances. There was a discussion whether pensions should cease after they had once been granted, and Lord Althorp said that the strongest objection to the then list of pensions was that the names of several persons appeared upon it who, since their names were placed there, had obtained large incomes which rendered them unfit objects for Royal benevolence. He added that the change in their fortunes was a very strong and proper objection to their names being retained on the pension list, and said that if a case were made out of great abuse in regard to such a pension the Minister ought to be held strictly responsible. He thought he might appeal to both sides of the House to recognise that Civil List pensions were clearly meant to be given to persons of small means. Mrs. Cameron, the widow of Captain Lovett Cameron, whose services as an explorer were well-known, had been allowed a pension of only £50, while Lady Alice Portal, in recognition of the distinguished services of her late husband, Sir Gerald Portal, had been granted a pension of £150; but when it came to the case of Professor Rhys-Davids, a sixth part of the whole fund—namely, £200 a year—was granted to him. He (Mr. Bartley) was not going to say a word against this gentleman's ability as an Oriental scholar, but he wished to know why he had been picked out for this very large pension. He was a man of between 40 and 50 years of age. He had held an appointment in Ceylon, and why it was given up he (Mr. Bartley) did not profess to know. Professor Rhys-Davids came away from Ceylon and applied to Lord Kimberley for a pension, but Lord Kimberley did not consider the case. The Professor was the candidate for the office of Librarian at the India Office, but was not selected, as he (Mr. Bartley) understood, because of his recent history in connection with the appointment at Ceylon. Professor Rhys-Davids was Secretary of the Royal Asiatic Society, and he had been physically able to undertake a tour in America. He was just going to get married, and it was a most extraordinary thing that he should have been picked out for the pension. There was another Oriental scholar (Major H. G. Raverty), who was in the

Public Service before Professor Rhys-Davids was born, and who had been promised one of these pensions for many years. The late Prime Minister had promised to consider his case. The Prime Minister was strictly responsible for the present appointment, and he (Mr. Bartley) emphatically said that the appointment was a political job; it was known everywhere to be a political job. Professor Rhys-Davids might be a great Oriental scholar, but he was a strong supporter of the present Government and had been prominent in that respect. This pension of £200 a year would not have been given to him if he had not been a strong political partisan. The system on which these pensions were awarded was not satisfactory, and if they were to be given for political reasons the sooner they were done away with the better. He did not think that in the past there had been any jobs in connection with these pensions, but that during the last 20 years both Liberal and Conservative Governments had made their awards very fairly. He was anxious to hear what his right hon. Friend (Sir J. T. Hibbert) would say in support of the appointment. He hoped his right hon. Friend would be able to make out a good case, but if not he thought the country should know that this pension was one of the grossest political jobs that had been perpetrated for many years.

Motion made, and Question proposed,

"That the Item (Class 2, Vote 3) of £10,000 for the Treasury and Subordinate Departments be reduced by £200, in respect of the salary of the First Lord of the Treasury."—(*Mr. Bartley.*)

MR. BYLES (York, W.R., Shipley): I understand that the hon. Member has just made a statement to the effect that Professor Rhys-Davids is a stout supporter of the present Government. I believe the hon. Gentleman is mistaken, and I have every reason to think his political faith is in agreement with that of the hon. Gentleman.

MR. BARTLEY: I challenge the hon. Member to say emphatically whether that is the case. I say emphatically that it is not the case, and that he is a member of the National Liberal Club, and an active Member.

MR. BYLES: I did not mean a Conservative, but that he is a supporter of

the Opposition to the present Government in this respect: that he is a Liberal Unionist.

MR. BARTLEY: I do not think—in fact, I know that that is not so—and I am certain the hon. Gentleman will not get up and say he knows it is a fact. There may be certain things about the National Liberal Club which Professor Rhys-Davids does not altogether approve of. No doubt he is one of those people who are somewhat troublesome all round, and that, I have no doubt, is why the pension has been granted to him.

MR. HOWELL (Bethnal Green, N.E.) said, he knew Professor Rhys-Davids, and thought him a very able man, and well-deserving of the Royal Bounty as far as his merits were concerned. As regarded his political proclivities he (Mr. Howell) did not know what they were, but he did not think he had taken any part in political meetings—certainly he had taken no part in meetings in favour of the Liberal Party—since 1885. He (Mr. Howell) was rather sorry that this aspect of the case had been introduced, and thought the hon. Member had weakened his case very considerably in contending that the appointment smacked of a political job. The hon. Member would have had a much stronger case if he had confined himself to saying that, in view of Professor Rhys-Davids' present capacity for work, his present position and a great number of other things combined, he was not one of those persons who ought to have been considered in preference to other candidates for pensions. He (Mr. Howell) had had on two occasions within the past two years to apply to the Prime Minister on behalf of two men whose names were known in connection with public life for assistance out of the Royal Bounty. One was John Bedford Leno, a poet, who was in such feeble health that he was incapable of earning 1s. a day. When a small grant was made to him he was in receipt of about 5s. a week. The amount he received was a sum—not a pension—of about £50. The other case was that of Mr. Lloyd Jones, who was well known to many Members of the House as a very earnest and able worker, as an able and eloquent speaker, and as a man who for 35 or 40 years had devoted himself entirely to the welfare of the working classes.



When Mr. Lloyd Jones died he left two daughters in very ill-health and very straitened circumstances, and a sum of £75 was granted to those daughters. The hon. Gentleman opposite would have a very strong case if he compared these two grants with the pension of £200 a year given to an able-bodied man. He thought the House ought to insist above everything that in cases of this kind the circumstances of the recipient should be taken into account as well as the services rendered. He did not grudge the grant made to Professor Rhys-Davids, as he knew him to be a very able, fair-minded, and honourable man. At the same time, he thought that the discrepancy between his case and the cases he had mentioned was so great that the attention of the Government should be called to it.

\*SIR J. T. HIBBERT: My hon. Friend opposite advocated two principles with which I entirely agree. The first was that in the distribution of the Royal Bounty any abuse ought to be prevented. I think that the whole Committee will concur in supporting that principle. The other was that no pension ought to be given for political purposes or with a political object. I think that principle will also receive general concurrence. I do not agree with my hon. Friend in the other remarks he made, and I think a good case can be made out for the grant of this pension to Professor Rhys-Davids. I know nothing about his politics or whether he is a Tory or a Liberal Unionist, or a Liberal, but I think my hon. Friend has carried that view of the matter rather too far. A man must have some politics, or, at all events, it is desirable that he should have some. Supposing he has politics he must be either a Tory or a Liberal Unionist or a Liberal. Whatever his politics are they ought not to disqualify him for a pension. I am told that Professor Rhys-Davids has devoted himself to research upon the questions of which he has made himself so great a master, and that in doing so he has spent the whole of his fortune, so that he is now practically a poor man. When he retired from Ceylon, he applied to the Colonial Office for a pension, but no pension was granted to him because he was technically not entitled to one. He was never refused the India Office Librarianship, but when he wished to become a candidate the India Office appear to

have required to have an Indian civilian as Librarian, and as he was not an Indian civilian he was out of the running. At the present moment Professor Rhys-Davids is entitled to a salary of £200 a year as Secretary to the Royal Asiatic Society, and that, I believe, is nearly the whole of the income he possesses. His name was brought forward as a candidate for this pension by a number of very eminent men of every political opinion, amongst them being Professor Huxley. This fact shows that the recommendation had no political origin. Out of all the recommendations made to him, the Prime Minister selected Professor Rhys-Davids for this pension of £200. I do not wish to go into the question as to whether that is too much for him or too little, but I think there is a strong case in favour of Professor Rhys-Davids, who is an eminent man and who has spent the whole of his fortune in research. I do not object to my hon. Friend calling attention to this matter, but I think there is much more to be said for than against it.

MR. BARTLEY said, the right hon. Gentleman spoke of this pension being given to enable Professor Rhys-Davids to devote himself to research, but he would point out that these pensions were not given to enable people to devote themselves to research. He thought the right hon. Gentleman had given himself away, for there was a Vote which was given for research, and if this money had come out of that Vote he (Mr. Bartley) should have said nothing about it, but this pension list was for persons who were supposed to be worn out, or who had practically given up their work, and whose circumstances were such that they were unable to maintain themselves. He must say he thought the defence of the right hon. Gentleman made the matter worse, as it was that this able-bodied man, who was now in receipt of £200 a year salary for another appointment, who was able to go on a lecturing tour in America—thus showing that his duties as Secretary of the Royal Asiatic Society were not onerous—and who had other means of living, had been given this £200 a year, not as a pension, but in order that he might carry on his researches. He had no objection to a politician getting a pension, but his objection was that an able-bodied young politician should have it, as though



it was a pension for his services in politics. If pensions from this Civil List were to be made vehicles for research, the whole object of the grant was done away with, and, therefore, the case was worse than he had thought it was. He thought it was a misappropriation of funds that they ought to divide against.

\*MR. T. W. RUSSELL (Tyrone, S.) said, the question was not whether this gentleman's income was sufficient for him, but whether he was a person who was entitled to receive this award from the Civil List, which was not a fund that existed for the purpose of making the incomes of certain people sufficient. The fund was intended for persons who were not able to work, and, therefore, this £200 had been given at the expense of other and, in his opinion, more deserving people. Whilst this gentleman received this £200, other people, at least equally deserving, must go with less, and many of them with no pension at all. He did not think his right hon. Friend had made a very complete defence, because he had simply based it, as far as he could follow, upon the fact that this Professor had only a salary of £200 a year; but was his right hon. Friend going to say he was going to supplement every one's salary which was not sufficient? That was no defence at all. He did not think it was fair to raise the question of politics, as no one could tell what they were, and therefore he did not deal with it from that standpoint, but he said that with a limited fund of this character, which was paid away in small grants, to give one-sixth of the fund to a gentleman only 50 years of age, and who was going upon a lecturing tour to America was monstrous.

MR. HANBURY (Preston) said, that if he understood his right hon. Friend, this money was given to Professor Rhys-Davids in order to enable him to carry on his researches. What he wished to find out was this. The hon. Member for Islington had said it would be possible, if it was desirable to give this money to encourage research, to give it out of another fund; therefore, if research was the object, that would have been the better course to have adopted. In that case the matter would have come under the cognisance of Parliament, whereas now it was only in an indirect way they had been able to find out what was being done; it was only by attacking

the Treasury that they could get at this Professor's grant at all. He must confess that he knew very little about Professor Rhys-Davids, and he did not think politics entered into the question so much as an hon. Member supposed, but it did seem to him to be a very large sum indeed when they recollected the object for which the money was given. It was given in small sums of £50, £40, £30, and even down to £20 a year, so that it was clear it was a very limited fund, and if they were to give it away in these large sums of £200 many deserving people would suffer. It was more on that ground that he opposed it. It might have been right to give this Professor £50 a year if he had been an old man; but here was a man who was able to go to America, and add to his income by delivering scientific lectures which would turn to his own advantage; therefore it seemed to him a most remarkable thing that the Prime Minister, in one of the earliest exercises of his patronage of this fund, should have deliberately chosen a comparatively young man who was drawing a regular salary as Secretary of the Royal Asiatic Society. But it was not so much for rewarding Professor Rhys-Davids as for improperly diminishing the fund that he should vote for the reduction.

Question put.

The Committee divided:—Ayes 73; Noes 156.—(Division List, No. 202.)

Original Question again proposed.

MR. BARTLEY said, he wished to ask a question respecting the scheme of retirement of attendants and messengers at South Kensington. There had been a good deal of dissatisfaction on the part of certain messengers—

THE CHAIRMAN: Under what Vote would that come?

MR. BARTLEY said, it was difficult to answer that question; it did not come under anyone's salary, but it was a scheme adopted by the Treasury.

THE CHAIRMAN: You can only raise the question upon a specific Vote.

MR. HANBURY said, he desired to obtain some information as to a Treasury Minute that had been issued. The Treasury, as he understood, had issued a Treasury Minute with regard to the right or claim of the Civil servants to be elected on the new District Councils and

Parish Councils. As he understood the Treasury Minute, they had ordered that the Civil servants should not be members of District Councils because they might meet during official hours, but they allowed Civil servants to become members of Parish Councils, because they said—

"The case is different as regards Parish Councils; Section 2, Sub-section 3, of the Local Government Act, 1894, provides they shall not begin earlier than 6 o'clock in the evening."

That was the ground on which they were to be allowed to be members of the Parish Councils. In issuing that document the Treasury must have been under an entire misapprehension, because the section referred to parish meetings and not Parish Councils, and it said—

"Parish meetings shall be held at least once in every year, and the proceedings of every parish meeting shall begin not earlier than 6 o'clock in the evening."

Therefore, the Treasury Minute did not turn out to be an infallible document, and the right hon. Gentleman did not know his own Act. As the Treasury were wrong in the reasons they had given for allowing Civil servants to be members of Parish Councils, and Parish Councils were in the same position as District Councils, what were they going to do? He presumed the Minute would be withdrawn, and a new one issued, and, in that case, would the Treasury forbid the Civil servants to be members of the Parish Councils, or would they give a new reason drawing a distinction between the two?

MR. E. J. C. MORTON (Devonport) said, that, according to the Dockyard Regulations, the *employés* of the dockyards were allowed to have 12 days a year off, losing their wages during those days, and were practically allowed to take them whenever they liked, and he wished to know what reason there was for forbidding *employés* of the dockyards being members of a Public Body, provided they were willing to take the time they were away from their work out of the days they were allowed and lose their wages thereby?

SIR J. T. HIBBERT said, that what the hon. Member for Preston (Mr. Hanbury) called a Treasury Minute was not laid on the Table as a Treasury Minute, but was simply a Memorandum sent round by the Treasury to the

various Government Departments in order that the latter might express their opinions upon it. The document had now been revised and altered in several particulars. Any official would be allowed to attend the meetings of a Parish Council of which he happened to be a member so long as the meetings did not interfere with the work of the office in which he was employed. If his Parish Council meetings were held, for instance, in the middle of the day, he would not be allowed to be a member nor to attend the meetings. In answer to the hon. Member for Devonport (Mr. E. J. C. Morton), he might say that the power was given to the heads of Departments enabling them to allow *employés* to attend such meetings, provided that this did not interfere with the business of the State.

MR. HANBURY said, that whether the document was a Treasury Minute or a Memorandum, it was issued from the Treasury, and the Treasury drew a distinction between District and Parish Councils, being under the impression that District Councils could meet at any time and that Parish Councils could only meet after 6 o'clock in the evening. What he wished to know was why, the mistake having been explained, the Treasury still maintained the distinction?

SIR J. T. HIBBERT said, he thought there was a broad distinction between District and Parish Councils. There was no doubt it would be the case that Parish Councils would meet in the evening, but there would be very few cases, scarcely any, in which District Councils would meet in the evening. The District Councils represented large areas and large districts, and, therefore, must meet in the daytime, as the members would have to travel long distances to attend them. It was not possible to allow Government officials to attend them during the time that ought to be devoted to the work of the country. With respect to Parish Councils, it was quite different, as many of them would meet in the evening. If they met in the daytime no Government official would be allowed to attend them; but if they met in the evening, there was no reason why an official should not be allowed to attend the meetings.

MR. POWELL WILLIAMS (Birmingham, S.) said, he rose to ask the right hon. Gentleman if he would be

*Mr. Hanbury*

able to lay on the Table of the House a Return relating to the law charges or payments, which were sanctioned by the House a little time ago, and which it was perfectly necessary should be in their possession before they came to the Vote of the Law Officers' charges.

SIR J. T. HIBBERT said, that the Return would be laid on the Table in a very short time.

MR. E. J. C. MORTON remarked that his point was this. He did not want any alteration whatever made in the regulations as to the grant of leave or the time at which leave might be granted or the conditions as to the hours of leave and so on, nor did he want that the leave should be cut into small portions. What he said was, that at the present time a man was allowed a certain amount of leave—he might take it in 12 days, and might spend those days in the manner he pleased—and he knew of *employés* in the dockyards belonging to both political Parties who took their leave and devoted it to working purely for their own Party. They did not want that there should be any interference with the method in which they spent their leave, or that they should be specifically forbidden to attend meetings of Public Local Bodies. That was what he objected to.

MR. HOZIER (Lauarkshire, S.) asked how was it possible to know when the Parish Councils would meet? They would not fix their hours of meeting until they were elected.

MR. WARNER (Somerset, N.) said, that at the present moment what under the Act would be a District Council was now a Local Board. The Local Boards met in the evening, and it seemed, therefore, rather hard that in that case a Government *employé* should not be able to have anything to do with the affairs of his own parish because it happened to be managed by a District Council.

SIR J. T. HIBBERT said, such a case would be met by the head of a Department under whose control the matter would be. Where the meetings took place in the evening, whether they were Parish or District Councils, any Government official would be able to attend them so long as he was not taken away from the work to which, during certain hours, he was bound to devote his attention.

MR. STOREY (Sunderland) said, that what some of them objected to was the right of the head of a department to say that a man should or should not serve his fellow-citizens. They would never for a moment admit such a right to the head of any department. Why should such a limitation be made? He could understand it if the Government servants were scattered about the country where District Councils met at very long distances from the homes of the elected persons, but he believed that would settle itself, and in the case of dockyard servants they would not find this condition of things, because then the District Council would meet in the place where the dockyard was situate. Why, in the name of goodness, should these men have to go to the head of the department cap in hand and say, "I want to serve my fellow-citizens; they want to elect me. You must say yes or no." He should certainly vote against such a limitation.

SIR J. T. HIBBERT said, it would be easy to distinguish in such cases. What the Government contended was that a dockyard official should not be at liberty to do other work during the hours he was paid for doing the work of the State. If the Local Authority met at a time which did not clash with the officials' hours of work there would be no difficulty in such an official attending the meetings of the Local Body.

MR. GIBSON BOWLES said, there were two matters involved which appeared to be quite distinct. The first part was as to the dockyard *employés*. They, of course, came under the same rule as all other public servants, and the only question was whether that rule was a right and proper one. He agreed with the right hon. Gentleman that it was a right and proper rule that a public servant should be precluded from employing his time in other matters than the service to which he was paid for devoting his whole time. The point now raised was this: they were having the pretension put forward that the Parish Councils were to be dictated, in the first instance, by the heads of departments; that there was to be a preliminary selection of candidates by heads of departments, who were to say to this man "Go," and he goeth, and to that man "Go," and he goeth as no Councillor. They could not have any part of the

machinery of local self-government made into machinery by which Government officials should dictate as to who ought to take part in local government and who ought not. The right hon. Gentleman (Sir J. T. Hibbert) said quite right. If they were told that the contention was that the head of a department should be able to allow or forbid an official in his department to be a candidate it was a contention that would be most strenuously resisted.

SIR J. T. HIBBERT said, that the Treasury had no desire to treat this matter in a narrow spirit, and as far as he was personally concerned he certainly had not. What he thought they ought to take care of was that the State had its value from the persons it employed. He did not think they ought to lay down any stringent rules, the only object being that those persons employed by the State should not devote any of the time they ought to give to the State to any other purpose. He should take care that the question should be considered in the light of the desire expressed by hon. Gentlemen on both sides of the House.

MR. HANBURY said, his objection was to drawing a distinction between Parish Councils and District Councils.

SIR J. T. HIBBERT said, that no such distinction would be drawn.

MR. HANBURY said, that surely the proper basis on which to put the question was the old basis on which Directorships were put. There was a rule that Civil servants should not be employed as directors on Boards which met during their official hours, and the reasonable thing to do would be to extend the rule to the holding of offices on Boards of this kind. If both District and Parish Councils were put on the same footing, then he thought the Treasury were on very safe ground, but the intention originally was to put them on a different footing.

SIR J. T. HIBBERT admitted that this was originally the intention, but it was not the intention at the present moment. The rule which his hon. Friend suggested was strictly carried out, and might with propriety be made applicable in these cases.

CAPTAIN NORTON (Newington, W.) said, what they wanted clearly to understand was whether any dockyard official who was properly entitled to 12 days'

leave should be able to devote that time to public work without having in any way to ask leave of his superior officer?

SIR D. MACFARLANE (Argyll) inquired, would the head of a Department have to be asked for leave before an *employé* in the dockyards became a candidate for any of these Parish Councils, or would he be allowed to be elected, and then, if elected, would he have to go to the head of the Department in order to obtain leave to attend to his duties as member of such Council?

COMMANDER BETHELL (York, E.R., Holderness) said, that the Government had no business to interfere with Boards of Directors or Local Bodies, but they had power to interfere with their servants, and if these Boards liked to elect Civil servants, all that was said to the servants was, "Very well, within your office hours you shall not go." That was a rule of universal application which ought to be followed.

\*ADMIRAL FIELD (Sussex, Eastbourne) said, he hoped the Secretary to the Treasury and the Government would stand firm as rocks after the mischievous views which had been enunciated by the hon. Member for Sunderland, who seemed to imply that any servant in the dockyard was apparently to leave the yard when he pleased.

MR. STOREY: No, no.

ADMIRAL FIELD: Well, he says that he objects that they have to go cap in hand to the head of the department.

MR. STOREY: What I said was that he ought to be allowed to become a candidate the same as any other citizen; that he ought to be elected the same as any other person, and that there should be no preliminary going to the official superior and saying, "Please can I become a candidate?" We may trust to the common sense of the people that they will not elect a man who cannot attend, and the question will, therefore, never arise.

\*ADMIRAL FIELD thought the hon. Member objected to having to ask permission to leave the dockyards. He (Admiral Field) took a strong view as to the efficiency of the Public Service; and the efficiency of these District Boards and Parish Councils, in his mind, was not worth the snap of the fingers compared with the efficiency of the Public Service. He hoped the Government would not

yield to Radical pressure and give any privilege to dockyard servants, or to any other officials of the Crown. The efficiency of the dockyards and the proper building and repairing of ships should be the only consideration which should guide the officers in regulating the leave of absence in the dockyards. If there was any feeling amongst hon. Members that dockyard men were to have special favours extended to them to attend Parish Councils or District Councils, he, for one, was utterly opposed to it. For his part, he thought the dockyard men were better off these Boards altogether so as to have their evenings to themselves, and so that they might be able to properly do the work for which they were paid by the Crown.

\*SIR F. S. POWELL, as representing an industrial district, desired to make a few observations upon the Home Office Vote. He felt he should only be doing his duty if he were to direct attention to a change in the staff of the Home Office. The Permanent Secretary of that Office, after many years' service, had retired into private life to enjoy a well-earned pension, and it was only right that some Member of the House should express his sense of the public service this gentleman had rendered during many years. As regarded the Reports of the Factory Inspectors, upon which his few remarks would be made, it was gratifying to be able to recognise improvements from the first page to the last. Many evils which caused anxiety in previous years had been removed, and others were being removed, or were in the course of being gradually diminished, and, they hoped, in a few years would disappear from those calamitous conditions which formed the just complaints of sanitarians, and were equally regretted by all friends of the labouring classes. Many years ago discussions were raised in the House as to the injurious effects on the workpeople of the manufacture of lucifer matches. The trade appeared to be a simple one, but it was also a dangerous one, and great loss of life arose in former days from the conditions under which this manufacture was carried on. He was glad to see in the recent Report of the Chief Factory Inspector that the disease then complained of appeared to be now almost entirely non-existent. In the same Report some remarks were made as to the

conditions of safety in the quarries. He desired to know if it was the intention of the Government to carry through the House the Quarries Bill which had come down from the House of Lords. That was legislation of considerable importance, and was exciting great interest amongst those engaged in coal mines, because they desired to know how far their industry would be affected by the proposed legislation with regard to quarries. He was glad to find emphatic mention made in the Report as to the flax and linen manufacture. He had had the privilege of visiting the factories in Belfast as well as in Lancashire, and there was no doubt the sanitary condition in Ireland was much less satisfactory than that of the Lancashire workshops. The subject, he was pleased to see, was engaging the attention of the Home Office, and he hoped the condition of those who laboured in the flax and linen factories of Ireland might be greatly improved. He should like to know from the right hon. Gentleman in such detail as he should be able to supply to the Committee what had been done as to the Report of the Departmental Committee on dangerous trades? How far were the recommendations of the Departmental Committee being carried into effect? He certainly felt himself, on an examination of the Report, that there was a certain degree of ambiguity as to which recommendations had been carried out, and which not. He hoped the Home Secretary would be able to give them some information on this subject. In the Factory Inspectors' Reports there was an omission which he regretted. He had had the honour of serving on two Committees as regarded the hours of labour in shops, and he expected to find under the heading in the Report of "Shop Hours" a full and explicit statement on the subject. There were, however, only one or two passages on the subject. He desired to know how far the condition of workers in shops had been improved by legislation. If no improvement had been made in the condition of things then he thought the time had come, not for hon. Members to bring forward their own Bills, but for the Government to take the matter in hand and vigorously pass through a measure for effecting those changes in the law which, in

that case, were certainly essential. Though he had occasion to regret the omission to which he had referred, he could not help thinking that these Reports were somewhat discursive, for they contained observations of a general character which threw no light on the condition of factories. Again, he also found that the Inspectors in their Reports, after describing certain evils which they wished to remedy, mentioned the names of firms which made certain machines which would remedy these evils. He was not at all sure that it was a wise thing that a Government Inspector in an official document should name a particular firm. He was sure it had been done with the best of motives, but he thought that such a system, if continued, might lead the Inspectors into temptation, and in that way the authority and impartiality of the Report might be greatly impaired. He was much interested in reading the Reports of the women Inspectors, which contained valuable matter and showed sympathy on the part of the gentler sex towards their sisters employed in the works, which commanded their admiration. There was one remark made by one of the women Inspectors which somewhat surprised him, and that was a complaint which was made as to the infringement of the Truck Acts. He would be glad to know whether the Home Secretary considered that the Truck Acts were now being infringed or not. Another evil to which the women Inspectors called attention was the practice of attaching the bed-rooms of the workpeople to the work-room, by means of which arrangement the limitation of hours prescribed by the Act was obeyed in the work-room but evaded by the people being engaged in the bed-rooms. That was a scandalous infraction of the Act. The statement as to the attachment of bed-rooms for collusion and evasion of the Act applied not only to work-rooms but to shops. Such a system amounted to an entire and complete violation of the Act. He saw one statement in a Report that women were worked on Saturday even so late as 11 o'clock at night. The excessive hours took place not in the work-room, which was under inspection, but in the bed-room, which was not so far regulated and under control. He should like to know how far the Sanitary Authorities were carrying out their

duties. Under an Act passed by the late Government certain functions were delegated to the Sanitary Authorities. The Reports on this topic were anything but of an encouraging nature, for it was stated, again and again, that the Local Authorities were not doing their duty. That was a serious matter. When the Act was passed in 1891 he felt doubts as to whether the Inspectors under the Local Authorities would discharge their duties with satisfaction. He was afraid his doubts had been realised. He would say nothing about the administration of Acts relating to mines beyond this, that he had made inquiries of masters and men in his own district, which was a mining district, and was glad to say that no complaints had been made. There were signs of the beginning of long-standing peace between employers and employed, which he gladly welcomed. As the result of his observations, extending now over many years, he was able to congratulate the country upon the progress that had been made in improving the condition of the people in their homes as well as in their workshops and factories. This satisfactory state of things was greatly due to the spread of intelligence amongst the people, and to their becoming keenly alive to the importance of these reforms. He hoped the progress that had been made would be continuous, and that nothing would be left undone in that direction by the Home Office.

\*THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. ASQUITH, Fife, E.): I should be the last to complain of the remarks made by the hon. Baronet. I am very glad, indeed, that the hon. Baronet—having thought this a proper occasion for discussing these matters—should have adopted an attitude so complimentary to the administration of the Factory Acts, and on behalf of those for whom I am responsible I tender to the hon. Baronet my acknowledgments for the appreciation he has shown of the ability and energy with which the Inspectors are going their work. I will deal briefly with the points on which the hon. Baronet asked for information. I earnestly hope the House will treat as a non-controversial measure the Bill for transferring the inspection of quarries to the Inspectors of Mines—a change in the law the necessity for which has been pressed upon me

*Sir F. S. Powell*



by the Departmental Committee. I am satisfied that by that change, coupled with the appointment of additional Inspectors, a number of serious accidents will be prevented. All the Reports of the Departmental Committee with reference to dangerous trades has been acted upon; and under the special powers conferred by the Act of 1891 I have made special Rules to carry out many of the recommendations of the Committee. In the case of the lead trade and the chemical trade the Rules have been practically agreed to, and in the case of the pottery trade they are on the verge of an agreement without arbitration. The case of quarries stands over for the transfer of jurisdiction proposed by the Bill. I am quite with the hon. Baronet as to the excessive length of shop hours in large towns. A Resolution in favour of change in the law was carried unanimously by this House, and I shall be only too glad when time can be found to make the necessary alteration. I may point out that the administration of the existing law with regard to workshops is by no means carried so far as it ought to be by the Local Authorities; and complaints are made of the supineness with which the Local Authorities perform the duties cast upon them by the Act of 1891. I regret to say that I think that complaint is well founded; and, although in some places there are enlightened men of experience who carry out the law with efficiency and determination, in too many places there is the most melancholy remissness in giving effect to the salutary provisions of the existing law. I am not quite sure that it was not a retrograde step to entrust these duties to Local Authorities, and not to keep them in the hands of the Central Executive; and it may be that we shall have to retrace our steps and take away from Local Authorities powers which they do not seem anxious to use efficiently. The Truck Acts, I regret to say, are exposed to evasions in the strictest sense of the word. A learned Judge once said it was the aim of every British subject to evade the law if he could do it with success, and that this was a reproach, not so much against the persons who broke the law, as against the Legislature who passed laws which could be so easily evaded without being broken. The

Truck Acts fell within the category of ineffective laws which offer loopholes and ways of escape that are taken advantage of by an unscrupulous class of employers who evade the law without actually breaking it, and act absolutely contrary to the intentions of the Legislature. I am afraid that in this respect we cannot attain to a more satisfactory state of things without considerably tightening and strengthening our legislative machinery. As to the alleged discursiveness of the Inspectors' Reports, I admit that the volume is more bulky than usual, but I claim that its contents are more valuable than previous Reports, and that every page affords proofs of the efficiency with which the Inspectors discharge their duties. I should be sorry by any instructions to curtail the Reports of the Inspectors and to deprive the public of the advantage of observations made by trained and skilled experts upon the various aspects of work. I consider the Reports of the Inspectors models of what such Reports ought to be, and hold that an occasional excess of zeal or exuberance of language ought to be looked upon with considerable indulgence. I am glad the hon. Baronet recognises the value of the appointment of women Inspectors. It is quite true that in many establishments the law has been violated by the simple expedient of transferring workwomen to their bedrooms at the time of the visit of the Inspector. It was impossible for the male Inspector to follow them in order to ascertain whether the law had been broken; but lady Inspectors are able to pursue their inquiries more closely, and the result has been the detection of a number of cases of infraction of the law. I have added two lady Inspectors this year, and I hope that practices which have not been detected in the past will prevail no longer. With regard to the mentioning of names of firms by the Inspectors in their Reports, I admit that it is a matter that should be treated with great delicacy and discretion, and I will look into it.

COMMANDER BETHELL said, he proposed to move a reduction in the Vote for the salary of the Secretary for Foreign Affairs in order that a few questions of considerable importance might be raised. So far as he was concerned he proposed to confine himself entirely to the question of the Anglo-Belgian Treaty and the

condition of affairs in British Uganda. It would be absurd to pretend that there was not great cause for anxiety in the events that were now occurring in Central Africa. Everyone familiar with our past history knew full well that great Continental wars had arisen over the division of foreign countries amongst the European Powers. He need only mention Canada as a great example. And those who had followed the course of the partition of Africa in the last few years must be aware that there was grave danger of complicated questions arising when European Powers were dividing that great Continent between them, and wedging themselves, side by side, into its territories; and that, even at best and under the most favourable circumstances, the greatest care must be taken in order to avoid any crisis occurring which would lead to a repetition of the great wars of the past. It was perfectly true that our Foreign Ministers had recognised those dangers, and had tried to avert them; and indeed had, so far, succeeded in averting them, by entering into Treaties and arrangements under which the European Powers agreed not to enter on each other's spheres of action in Africa. Since then, however, another Treaty was made with Belgium, which was called the Anglo-Belgian Treaty, and which also affected Germany and France. He did not think that anyone would pretend that in the case of Germany the Treaty was of very great importance. But it was none the less true that the Foreign Office, made, in regard to Germany, a sad mess of it in the Treaty, and had to submit to a snub from Germany. Germany maintained that the Congo Free State being a creation of other Powers had no right to an extension of its territory, or to give up any of its territory; but obviously it was not competent for Germany to use that argument when at the creation of the Congo Free State, all the Powers—with the exception of France—had a clause in their Treaties with the Congo Free State which seemed to recognise the right of that State to give up or acquire territory. With regard to the French part of the Treaty, he would not say much, as negotiations on the subject were now going on between this country and France; but he desired to glance rapidly at what had taken place, and to submit some views which he believed

were held by a great many people throughout the country. By certain Treaties, which he need not mention specially, the boundaries of the Congo Free State were fixed by 4° N. and 80° E. By the Anglo-Belgian Treaty, this country claimed a sphere of influence east of 30° E.; and it was against that that France objected. He thought the last Government, as well as the present Government, had been singularly wanting in their appreciation of events that had taken place in Central Africa on the part of Belgium. Before the present Government came into Office it was well-known that a certain Belgian officer was moving his troops outside the limits of the Congo Free State, and especially in parts east of 30° E., claimed by this country and admitted by Germany. Questions were asked in the House about those proceedings; the Government said they knew nothing about them; and yet it was those proceedings which had led to the recent difficulties by compelling this country to enter into the Anglo-Belgian Treaty in respect to those districts east of 30° E. France, as he had said, had been careful to avoid that clause, which every other Power inserted in its Treaty with the Congo Free State—namely, the clause which seemed to recognise the right of the Free State to give up or acquire territory; and he presumed it was because of the absence of that clause that France now claimed a right to object to the Congo Free State acting outside the boundaries that had been solemnly laid down. Thirty° E was, roughly speaking, the boundary of the Valley of the Nile, and to the Valley of the Nile we had a right from consideration of, if not of discovery, at least, of investigation and exploration, and, above all, from political considerations. Those considerations could not be overlooked, and ought not to be overlooked; and he could not believe that the Foreign Office would be so unwise as to admit that there could be any question of any other country having any claim, as compared with the claim of this country, to the Valley of the Nile. He did not believe that the Foreign Office would, under any circumstances, yield up our claim to the watershed of the Nile, though he confessed he felt some little anxiety on the point owing to the events which had

*Commander Bethell*

recently taken place. He was certain that any such action on the part of the Foreign Office would be received with great indignation in this country, and would result in grave injury to this country. He, therefore, hoped that the Government would think once and think twice before they yielded one inch upon this profoundly important question. He was not one of those who had any jealousy, speaking generally, of the occupation of Africa by France, or Germany, or any other country, for he recognised the great work of civilisation in which they were all engaged. But it was the fact that France at the present moment had a larger territory than any other country in Africa; and it was the fact, too, that during the last few years France had been allowed to shut in our colonies of Gambia, and partially also Sierra Leone and the Gold Coast, by the occupation of several *Hinterlands* in the West. Those were great concessions to the views and wishes of France; and he thought we might reasonably expect some concession in return for what had been done. It was only this very year that Germany — apparently without any opposition from us — had made over to France rights obtained from us over territories east of Lake Tchad and Olibanghi River. He considered that the line ought to be drawn in the Valley of the Nile. He would conclude with a few words in regard to the British East Africa Company. He was not an admirer, and had never been a supporter of Chartered Companies. Whenever he had spoken of them in the House, he had always said that he thought that in principle they were a mistake, as the business they transacted ought to be undertaken by the Imperial Government. But whether he liked Chartered Companies or not, he must recognise their existence, and he might in individual cases say whether he thought they had been justly treated or not. He was bound to say that in his opinion the British East Africa Company had been treated most shabbily by the late Government, and most scurvily by the present Government. He thought that, if possible, in this respect the Government now in power had been the worst offender. He would only present the salient features of the case to the Committee, leaving the hon. Member for Liverpool (Mr. Lawrence),

who was extremely familiar with the subject, to elaborate the details. The Company was urged by Lord Salisbury in 1888 to advance to Uganda, in order to save that country from the grasp of the Germans. That was notorious. In the East Africa Company, in order to meet the expenses of government, a concession of about 400 miles of territory along the coast was made by the Sultan of Zanzibar. A certain rental was to be paid to the Sultan, and in return the East Africa Company were allowed to collect the dues along the coast. That took place in 1888. In 1890 the Government declared a protectorate over this territory, and recommended the Sultan to withdraw his territories from the operation of the free zone declared by the Berlin Conference, the result being that the Company, acting as leaseholders under the Sultan, were there to obtain money on goods coming into their territory, and thus were able to pay their rents. In 1892, however, years later, we substantially declared a protectorate over Uganda, and at the same time, in order to pay the expenses of administration, advised the Sultan to place his territory inside the free zone. The result was that goods for Uganda, being in transit, paid no dues, and the Company were left in the position of losing their revenue while they had still to pay rent. There never was a more questionable proceeding than this.

SIR E. GREY said the company were in possession of the *Hinterland* when this change took place, and therefore no question of free transit could arise.

COMMANDER BETHELL said, all the world knew that long before we took over the protectorate certain responsibilities in connection with Uganda were assumed by this country. Surely this was a transaction for which this country should blush.

SIR E. GREY: No. Whatever was done was done with the knowledge of the Company.

COMMANDER BETHELL said, he believed that whatever was done took place under the blushes of his hon. Friend below him, but the hon. Baronet opposite had had a couple of years to put it straight. There was in the Charter a clause declaring that disputes arising between the Sultan and the Company should be referred to the Foreign Secre-

tary for decision, and the Company had, since last October, been begging Lord Rosebery to act as arbitrator in accordance with that clause, but they could get no answer whatever. Meanwhile the Company had to go on paying the rent to the Sultan and get nothing in return. Surely that was unjust. He thought he had said enough to show hon. Gentlemen, whose attention had not hitherto been drawn to this matter, that there never was a more questionable proceeding than this, and he urged that for the sake of the credit of this country justice ought to be dealt out to the Company. He moved to reduce the Vote for the Secretary of State for Foreign Affairs by the sum of £100.

Motion made, and Question proposed,

"That the Item (Class 2, Vote 5), of £7,000, for the Foreign Office, be reduced by £100, in respect of the Salary of the Secretary of State."  
—(*Commander Bethell.*)

\*MR. LAWRENCE (Liverpool, Abercromby) said, that after the very able and lucid speech of his hon. and gallant Friend he thought he need say very little on behalf of the Company who was grievously suffering in the hands of the British Government. He had not been fully acquainted with all the facts until recently, but since he had become acquainted with them he had been surprised that any Department of Her Majesty's Government should have dealt such very hard justice to those subjects of the Crown who had done so much at such great cost to extend the interests of England in the heart of Africa. A distinct breach of a written contract by the Government, through the medium of the Sultan of Zanzibar, had been the cause of the gravest loss, and the Government had up to the present time refused to submit the matter to arbitration. Such interminable delays had taken place in the Company's negotiations with the Foreign Office that the interests of the Company had been grievously prejudiced. They were neither able to go forward nor to go back, and it seemed almost as if the Foreign Office by these delays desired so to reduce the resources of the Company that they might come in and buy it, as they thought, "lock, stock, and barrel," for a very small figure. They claimed to have a real grievance, inasmuch as

*Commander Bethell*

there had been an entire omission on the part of the Government to carry out an unwritten agreement, but one fully recognised by all parties at the time—namely, that by which foreigners and British subjects should bear some share of the government which they enjoyed in the territories of the British East Africa Company. It was never contemplated that the Company should come into existence and should not be able to raise taxes to set up that administration which it was bound to set up. The Company in their original Charter only undertook to administer justice over subjects of the Sultan of Zanzibar, and it was contemplated that when they had been given power of taxation over British and foreign subjects within their territory that they would be permitted to raise money by such means to create a judicial system to suit them. But that had not been the case, yet they were charged with having neglected, out of their own capital and resources, to set on foot a High Court and all the paraphernalia of justice. They were asked, most unjustly, to surrender their Concession territory without regard being had to their Chartered territory, which was just like compelling a private person who owned a frontage to part with that frontage without regard to the property in the background. He thought that in view of these facts the Company had ample ground for complaint; and since Committee of Supply had been made an opportunity for ventilating grievances, he did not think a single case more deserving the attention of Parliament had been brought forward than that of this Chartered Company. He understood the Government affirmed that the Company had done nothing whatever in the chartered territory, and that therefore it had no rights. The reply to that was that they had spent largely of their means in opening up Uganda, and in sending out exploring parties into the country beyond. But for the action of the Company in making its way under great difficulties to Uganda four years ago, the whole of that district would now belong to the Germans. Was it nothing that they had rescued for the English Crown that enormous tract of country, having a frontage of 200 miles to the sea? As an indication of what the Company had done in opening up the country and making good roads, he might mention that whereas, in 1888,

the country was so unsettled that the Company had to send a party of 500 armed porters to conduct five white men through the country, within the last 24 hours it was reported that someone had come from Mengo in the heart of the country in the shortest time on record, and with only 50 porters, partially armed. This fact showed that the work of the Company had not been altogether in vain, and he thought that ordinary fairness would have required the Government to have given more kindly consideration to the claims of the Company. Recent incidents had caused great heartburning among those who had given so nobly and those who had worked so hard in the interests of the country as well as of the Company, and so perfectly convinced were they of the justice of their case that they were willing to submit it to any body of business men who were concerned in protecting the interests of the Empire. He believed they would have got more justice from arbitrators than they had received from the Government up to the present. Money had been subscribed in many cases from philanthropic motives, and in others from the desire of national expansion, and it was really too bad at this end of the century that gentlemen who had acted either from motives of philanthropy or of national expansion should be treated as adventurers. He was not defending the principle of Chartered Companies; indeed, if he followed closely the wishes of his constituents, he would condemn it; but these Companies had been called into existence under political exigencies, and they were entitled to justice; and he submitted that if the Foreign Office was unable to take a fair and unbiased view of the question, they ought to submit it to the arbitration either of a Select Committee of that House or to some other competent tribunal. At any rate, let them treat others as they would themselves like to be treated.

\*ADMIRAL FIELD (Sussex, Eastbourne) said, they were not there to discuss the merits of the Chartered Companies, but to worry the Government into doing its best in the interest of this country. He was heartily sick of reading the Reports and printed matter supplied to him bearing upon this sub-

ject, because he was ashamed and disgusted with the manner in which the Government had treated this Company. What would have been the position of England in East Africa but for their energy and enterprise? The country owed a debt of gratitude to the Company for their services to British interests. Some hon. Friends beside him had spoken in terms of disapproval of the work of the Chartered Companies, and had seemed to be unmindful of the fact that the great East India Company had secured to this country the brightest jewel in the British Crown. But, as he had said before, they were not there to discuss whether Chartered Companies were good or bad in themselves, but they were placed face to face with a condition of things at which the country, if it were aware of the circumstances, would, he was sure, be indignant. Here was a Company which had been employed by the British Government at various times to do their own Imperial work, because they had not the courage to ask Parliament to provide them with the means necessary for doing it themselves. The Company who had pulled the chestnuts out of the fire for the Government were now left without adequate compensation for the work they had done. He called it downright legalised confiscation. ["No, no!"] The hon. Member who said "No" could not have studied the question in all its bearings. He could not have read Sir Gerald Portal's Report. The action of the Government had been legalised robbery. The Company was in the hands of the Government, and it was useless for them to put up the Sultan of Zanzibar, and the Berlin Conference, and such like nonsense. The Company paid a large sum to the Sultan of Zanzibar for the right to levy Customs and dues; they had been deprived of that right without compensation; and what could that be called but robbery? Under their Charter they had power to appeal to the Prime Minister or Foreign Secretary to arbitrate—

An hon. MEMBER: Under what Act?

ADMIRAL FIELD said, he was speaking of a clause in their Charter. If the hon. Member would try to understand the point perhaps he would not interrupt.

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Lord Salisbury, in a Despatch to the British Consul General, had said that no measures should be decided upon affecting that portion of the Sultan's territory administered by the Company without previous consultation with the Company, and that failure on the Sultan's part to observe that condition should lay him open to a charge for compensation. Well, the confiscation of which he complained was effected without consulting the Company or giving them an opportunity of pleading their case, although, when compensation was claimed, the British Government said the claim was not entitled to consideration. The Company asked for arbitration, and was denied a hearing. His contention was that the Government were trustees for the nation, and must do the right thing in this matter. They had been told on high legal authority that if the Sultan was not a Sovereign—if he was amenable in respect to claims made upon him in this country—undoubtedly he would be liable to meet a claim for compensation, and if the Company's claim was founded on legal grounds he said the British Government was very much to blame if it looked at it with averted eye. He knew it was the fashion to abuse these Companies, but what did Sir Gerald Portal say? In his admirable Report he said—

"I venture to express my strong opinion that it is now desirable, in the interests of British commerce and of the whole of East Africa, from the Indian Ocean to the Nile Basin, that some arrangement should be arrived at, without further delay, by which the Imperial British East Africa Company shall cease to exist as a political or administrative body, either in the interior or within the limits of the Sultan's territory."

Then he went on to say—

"As pioneers, the Company's officers have done good work, and have greatly increased our knowledge of East Africa, and there can be no doubt that a great deal of money has been spent in the hope of opening up the country to civilisation, and, at the same time, of introducing a profitable trade. In fact, to the founders of the Company belongs the sole credit of the acquisition, for the benefit of British commerce, of this great potential market for British goods."

Further on again, Sir Gerald Portal said—

"As regards the withdrawal . . . of the Royal Charter . . . there would, I imagine, be but little difficulty, especially since the Com-

pany have now, of their own accord, practically resigned their rights . . . by relinquishing any connection with the interior elsewhere than at the two small posts above mentioned; but in surrendering their concessions obtained at various times from the Sultan of Zanzibar, the Company would be fairly entitled to receive from the Sultan adequate compensation for such actual improvements as they may have made within the territories of the Sultanate."

That was the opinion of Sir Gerald Portal. He (Admiral Field) entered his protest against the policy of injustice and robbery which might be popular elsewhere, but was not popular at all events upon his side of the House. His sympathy was with justice, and he only rose to say that a wrong had been done where the nation demanded that right should be done.

\*SIR E. GREY said, that although in the course of the discussion very large questions had been raised, he thought it was only necessary for the satisfaction of the Committee that he should deal with the important points raised. The first was the present Agreement with the Sovereign of the Congo State; and though the hon. Member who called attention to the subject certainly gave expression to some very strong criticisms as to what had been done, he gladly recognised from his tone and manner that they were dictated entirely by his interest in the subject and not by any animus or desire to injure anybody concerned. The criticisms of the hon. Gentleman, into which he could not follow him far, were divided into two parts—first of all, the criticism of that part of the Treaty which especially concerned the German Government; and he admitted that, if they had been at all aware of the importance which the German Government attached to that particular part of the Treaty, it would not have been inserted. The moment it was found the German Government attached importance to it Her Majesty's Government felt it would be only in accordance with a proper sense of what was due to the different Powers concerned that part of the Treaty—of no great importance to us, but considered to be of great importance to the German Government—should be withdrawn. As regarded the other and larger questions raised by the hon. and gallant Member (Commander Bethell), he had only to say that they were at present forming

*Admiral Field*



part of the discussion which was taking place with the French Government, and which had not reached a stage at which it was possible to make a statement to the House. As regarded the final part of the hon. Member's remarks as to the importance to Great Britain of this sphere of influence ever since the present Government came into Office, they had never shown any hesitation in claiming a position in that sphere of influence. So there was no reason to doubt that they had a proper sense of importance of the step taken by Lord Salisbury. Now, he came to the more controversial question of the East Africa Company. Though he differed from the remarks of hon. Member's opposite, he had no desire to spend time in whittling down any of the work the Company had done. He did not want to disparage their work or reflect on their conduct, or attempt in any way the disagreeable task of making whatever they had done appear to be less than they would represent it to be. At the same time, he could not agree with all that had been said on behalf of the Company. It had been said that the Company, in occupying this part of East Africa, including Uganda, went there at the instigation of Lord Salisbury. Lord Salisbury recognised the enterprise displayed by the founders of the Company to be of great Imperial benefit, but the present Government had no record that the Company went to East Africa at the suggestion of anyone but themselves. Sir William Mackinnon, the leading spirit of the East Africa Company, was a man of great enterprise and large ideas, and it did not seem probable that he required instigation from outside to induce him to entertain the operations which the Company undertook.

COMMANDER BETHELL: I have an excerpt from Sir C. Euan-Smith on the subject.

SIR E. GREY said, he would now pass to the question of free transits and to the action of the Sultan of Zanzibar in accepting the free zone provisions. He did not say the Company was a party to this, but that the Sultan of Zanzibar, in putting his dominions under that system, did it with the knowledge of the Company, who did not then contemplate the results that had ensued since. Although

he had not the dates by him, he thought hon. Members would find there was an interval between the time that the dominions of the Sultan of Zanzibar were put under the free zone system, and the Company were aware of it, and the first protest on the subject. The fact was the action which made the free transit provisions apply to the dominions of the Company was the action of the Company themselves when they withdrew within the 10-mile limit.

\*MR. LAWRENCE said, it was a matter of history, he believed, the Company over and over again had reiterated to the Foreign Office that they were going to retire from Uganda long before the question of extending the free zone system was even hinted at by the Foreign Office, and the fact that the free zone system was not immediately resisted in the determined way it ought to have been was because it was supposed that underlying that tentative proposal, contained in a letter of April 29, 1892, there was to be a *quid pro quo*—namely, that power of taxation was to be conferred, by which the Company might be recouped in case of the free zone system being extended.

SIR E. GREY replied that he was glad to have an admission that at any rate the protest against placing the dominions of the Company under the free zone did not follow the Company's knowledge of the act taking place.

MR. LAWRENCE said, the whole Note showed that the Foreign Office was conducting negotiations for extending the free zone quite behind the back of the Company. And when at least there was some suggestion that the Government would extend the free zone system there was some idea that the Company was to be met by a compensating advantage which would neutralize the material disadvantage that had occurred.

\*SIR E. GREY said, undoubtedly there might have been a hope that certain advantages would accrue which had not accrued when the territories were placed under the free zone. But it was not only the Government that hoped for those benefits; but the Company also at the time thought it had some interest in those territories being placed under the free zone. As to compensation to the Company, there seemed no doubt that the

Company would be glad to retire from the whole field of its operations—both from the 10-mile limit, and the chartered territory behind it—provided adequate compensation were offered. As regarded the 10-mile limit and the special concessions under which it was held from the Sultan of Zanzibar, the reason the Government did not interfere in the differences between the Sultan and the Company was simply because it was understood that both the Sultan and the Company would be willing to treat for the termination of the whole of the concession; and the difference between them would be one of terms. What had delayed an arrangement being come to? It was, of course, the fact that the Company's interests were not limited only to the concession of the 10-mile limit, but there was the amount of work the Company had done in the country behind. Sir G. Portal's Report had been quoted as to the amount of work the Company had done. In that Report Sir G. Portal gave his opinion that, in the Imperial interest, the Company ought to cease to exist as a political and administrative body, and that, looking at the present position of the Company, there should be little difficulty as regarded the termination of the Charter which it at present held. That led up to the point of view the Government held now. If there was to be a satisfactory settlement of this portion of East Africa it would be necessary a settlement should be made with the Company. Two different authorities could not exist in different parts of the country, one part being administered directly from the Foreign Office, another by the Company, and another by the Sultan of Zanzibar. The Company must be settled with, and the whole cause of the delay had been the terms on which the settlement should be made. The difficulty was not one of principle, but of terms. The Government had never denied that the Company was entitled to compensation for the value of work done. When the Government came into Office they found themselves confronted with the question of what the future of this country was to be. Supposing they had decided that it would be in the Imperial interest to withdraw from Uganda altogether, surely the hon. Member opposite could not then

*Sir E. Grey*

have maintained that compensation would have been due to the Company for the work they had done. Until it was decided whether and under what conditions the territory was to be held, it was of course impossible to consider the question whether any compensation was due to the Company at all. That question had been decided in favour of retaining the country, and the only point now to be settled was that of the amount of the compensation to be paid. The hon. Gentleman said that the Company had made a very modest claim. Modesty was a matter of opinion, and it was on the question of the modesty of the Company's claim that the delay had arisen. In estimating the amount of the compensation, the Government had two things to consider. The first was how much the Company had spent, and the second was how much what the Company had spent was worth as far as Imperial interests were concerned. It had also to be borne in mind that supposing the Company had remained in that part of East Africa, and had found that the commercial development of the country was so rapid as to repay them for the money they had spent, undoubtedly the whole of the profits would have gone into their own pockets. When they agreed to occupy that part of Africa they had before them the prospect of getting the whole of the profits of the commercial development of the country for their own shareholders, and they must take some responsibility for the loss that had occurred through the commercial development of the country not having been so inexpensive or rapid as they might have expected at first. Having had the whole prospect of the profits, it was only natural that they should bear some share of the loss which they said had occurred. All this had to be taken into account in estimating the amount of compensation to be awarded. If the Company had withdrawn from Africa under pressure of the Government, it would have stood on a very different footing, but they had withdrawn entirely on their own account, and since they withdrew the Imperial Government had had to find a great deal of money in respect of the country withdrawn from, and it was quite uncertain how soon that public money would be recovered. He had

always admitted in the House of Commons that after all that had happened, and after Sir Gerald Portal's Report had been received as to the position of affairs as the Company left them, no Government, except at the expense of its own self-respect, would have withdrawn from the country. He did not wish to deny that compensation should be given to the Company for the value of the work they had done, but such compensation would not have to be estimated by the total amount of the money they had spent, and the delay had been due to the difference between the Government and the Company as to what the amount of compensation should be.

\*MR. J. W. LOWTHER (Cumberland, Penrith) said, he desired to make a few observations with regard to the principal points that had come under discussion on the Foreign Office Vote. He did not wish for a moment to say anything which would commit him or those with whom he acted to any definite opinion with regard to their position in relation to the Government of France and the protest they had made with respect to that Treaty. They had no materials at present before them upon which they could found any opinion that would be worth giving. With regard to the interests of Germany and the manner in which they were affected under the Treaty, he could not help reiterating the view already expressed, and to which he did not think his hon. Friend (Sir E. Grey) opposite had given a sufficient answer—namely, that it was a great pity, considering our friendly relations with Germany, not only in Africa but all over the globe, that what was being done was not notified to Germany before a definite Treaty was made. He was fully of opinion that if Germany had been consulted in this matter the difficulties which had cropped up would never have occurred; that Great Britain would have been able to make her position perfectly clear to the German Government, and that in this respect she would have been in a very much stronger position for meeting any objections or claims which the French Government might make than was the case now when the whole of the Article by which Germany was affected under the Treaty had had to be thrown overboard. As long ago as the 1st of July, 1890, Germany recognised in

the Treaty with Great Britain the British claim to include the Nile Basin within her sphere of influence. Therefore, for the last four years our claim, whatever it might be worth, to that particular district had been before the world. The French claim, as far as it existed at all, had never been made public. It might have rested within the bosoms of successive Foreign Secretaries who had presided at the Quai d'Orsay, but it had never been laid before the other European Powers, or certainly had never been recognised by any of them. As to the position of the British East Africa Company, he wished to associate himself entirely with what had fallen from his hon. Friend opposite (Sir E. Grey) with regard to the encouragement which was alleged to have been given by the late Government of Her Majesty to Sir William Mackinnon and the British East Africa Company. He did not deny for a moment that Lord Salisbury and the late Government looked with a very favourable eye indeed upon the forward movement of that Company, but he thought that if the Company had ever had anything definite to go upon to show that they had ever been encouraged or urged to go to Uganda the document would have been made public long before now. As to the action taken by the Sultan of Zanzibar in reference to the Berlin Act, that action was taken in August, 1892, just before the last General Election. He had no doubt that the reason for that action was that Her Majesty's Government did not see their way to pay Transit Duties upon stores which it was probable that they would have to send up to Uganda in order to occupy it. No doubt this was why Her Majesty's Government invited the Sultan of Zanzibar to bring his territories within the free transit zone. There could be no doubt that that action on the part of the Sultan of Zanzibar, or, to speak frankly, on the part of Her Majesty's Government at home—because, of course, it was they who pulled the wires—did very materially modify the agreement which existed between the Sultan of Zanzibar and the Imperial British East Africa Company. Of course, it was difficult to say what Lord Salisbury's Government would have done under a certain set of circumstances

which did not occur during the time they held Office, but he could hardly conceive that they would have rejected any claim made by the Company to have the case reconsidered when they could show that they had been injuriously affected by the alteration made. There was no doubt that they had been injuriously affected by it. They had lost the whole of the Transit Dues, both import and export, which up to August, 1892, they were enabled to levy, and upon which the amount of the rent paid by them was based. The arrangement made between the Sultan of Zanzibar and the Company in 1888 was that the gross receipts by the Company for Import and Export Dues during that particular year should be taken as an average, and that the rent which the Company were to pay for their concession was to be based on the amounts received during that particular year. If Her Majesty's Government took away the greater part of the fabric on which the contract was based, surely, even if the Government had not a moral claim they had a legal claim to have their position reconsidered, more especially when they remembered that at the present moment the Foreign Office was practically the Sultan of Zanzibar. He did not think his hon. Friend (Sir E. Grey) had given a sufficient answer to the case of the Company, who were year by year compelled to go on paying a heavy rent to the Sultan out of funds which they did not receive—that was to say, out of their own capital. Whilst he (Mr. J. W. Lowther) did not put the case as strongly as his hon. and gallant Friend (Commander Bethell), or as his hon. and gallant Friend below the Gangway, who had used some very strong and nautical phrases with regard to it, he thought that the Government might very fairly arrive at some arrangement with the Company with regard to that part of their claim, especially when it was remembered that the Government had in their hands at the present moment the sum of £200,000 belonging nominally to the Sultan of Zanzibar, and forming a fund by means of which arrangements might possibly be arrived at between the Company and the Sultan. He should like, in conclusion, to call the attention of Her Majesty's Government to the extraordinary anomalous position in which

they found themselves in East Africa. They had a Protectorate of an island with a 10-mile strip of territory along the mainland; then they had another Protectorate further north held under a different tenure; then they had the *Hinterland* administered by the Chartered Company, and finally hung up in the air, three months' distance from the base, they had the newly-formed Protectorate of Uganda. He fully agreed with the views which were held by Sir Gerald Portal that the whole of this portion of East Africa should be administered together, and directly by Great Britain, and he was afraid that as long as Her Majesty's Government could not make up their minds to grasp the question as a whole, and to treat it as a whole, they were simply piling up for themselves day by day great difficulties and ceaseless intricacies, and preparing for the future a crisis which might become very acute, and which might lead to some of the disasters which his hon. and gallant Friend (Commander Bethell) had pointed out.

SIR R. TEMPLE (Surrey, Kingston) said, he should interpose but for a few minutes between this foreign topic and another foreign topic of equal interest, which he believed was to be subsequently brought forward. Having been obliged, owing to his connection with a great Missionary Society, to which everybody owed so much in East Africa, to study this part of the African Continent, and being entirely unconnected with the British Imperial East Africa Company, he desired to say a few words on the question. He felt he could do so with entire impartiality, and from a national and patriotic point of view. He did not agree with what had fallen from the hon. and gallant Gentleman the Member for the Holderness Division regarding the merits of Chartered Companies. Of course, if the work done by these Companies could be done immediately by the nation it would be well, but they knew that in the political and social circumstances of the country it was natural that the Government should be somewhat reluctant to enter directly upon these enterprises, which might in the future so largely affect our national interests. It should be borne in mind that if there had been no East India Com-

*Mr. J. W. Lowther*



pany there would have been no British Indian Empire, and that if there had been no South Africa Company there would have been no British dominions in Matabeleland and Mashonaland; and, certainly, if there had been no East Africa Company Germany would by this time have been masters of the whole of the territory to the west of the great African Lakes. Under the circumstances, they ought to be thankful that this great Company had existed, and ought to look on its condition now with a most friendly eye. He did not want to make much of what had been said as to the late Government having instigated the Company to proceed to Uganda. If it did so it would redound to its credit; at any rate, he should be the last to apply any opprobrious epithets to a Government for which he had the most profound admiration, especially regarding their African policy. It must be admitted that the late Government was not behindhand in its national duty of giving encouragement to this Company. It was the duty of the Government to give that encouragement, and that encouragement was rendered, as was amply shown by the Papers. As early as 1890 Sir C. Euan Smith had written to Sir W. McKinnon recommending the Despatch of a thoroughly equipped expedition to Uganda, and in their Despatches the Government had used such phrases as—

"No more favourable opportunity could arise for the Company to enter into amicable relations with the King,"

and—

"It is understood that the principal object that the East Africa Company has in view is to secure a permanent interest in Uganda, and steps have been taken for that object by the despatch of a caravan."

There could be no doubt that reasonable and proper encouragement was given by the late Government to the Company to proceed to Uganda. Lord Salisbury, in fact, had written—

"It would be unreasonable that Her Majesty's Government should, by thrusting the whole responsibility on the shoulders of private individuals, claim to be relieved from all responsibility."

He did not mean to imply that the late Government had committed itself in any unreasonable manner. It did no more than its duty, and no less. The Com-

pany was to pay a certain rent to the Sultan of Zanzibar in consideration of being allowed to collect duties within a certain zone, and when that zone was declared free and no dues could be collected, no remission was made in the rent. He desired to press upon the Government to settle the matter quickly, because the Company was placed at a disadvantage and did not know what to do, and it was seriously apprehensive regarding delay. For the sake of Imperial interests and of justice to the Company, let them be quick in settling the matter. Now that the question of Uganda had been so beneficially settled by Her Majesty's Government, could they not go a step further and bring matters with the Company to a just conclusion? The Company should no longer be required to go on paying revenue to the Sultan of Zanzibar for benefits no longer receivable. Though no one held the services of Sir Gerald Portal in admiration more than he did, he hardly thought that Sir Gerald sufficiently considered the part which the Company had to play in that part of the world, and it never seemed to have occurred to Sir Gerald's mind that if there had been no Company there would have been no Uganda question for this country to argue about. The Government were, it seemed, halting at this moment between two opinions. There was no middle course for them to pursue. Either they must be prepared to assume a virtual Protectorate over the whole *Hinterland* from Mombasa to the Great Lakes, or the Company must have financial means at its disposal to enable it to do its duty. How could that be done? In the first place, he understood that the Company had no real taxing powers. They could not tax British subjects or other European subjects without some positive sanction from the British Government, and he believed that could not be done unless the Government were prepared to give that power by Order in Council, or by such other Order as they might choose. They must otherwise make it a Crown Colony, and if they make it a Crown Colony, of course, it was virtually a Protectorate. One of the financial means he was advocating was that the Company should have the

power of taxation, which they had not now. The people who enjoyed protection would, no doubt, be willing to accept taxation. There was another point which was well worth consideration. The revenue at present raised, or which could be raised, at the principal ports did not benefit the Company, but went, as he understood, to Zanzibar, which was now being virtually administered by the Foreign Office. The Sultan was, at all events, but the shadow of a King. The islands of Zanzibar and Pemba ought, he contended, to live on their own taxes, and ought not to look to other ports up the coast. The taxes collected from the ports on the coast ought, in his view, to be devoted to that coast, and if those taxes were receivable by the Company the latter would have means to go on. If, however, this course was not considered by Her Majesty's Government to be desirable, then they must adopt the other course—follow Sir Gerald Portal's advice, assume a Protectorate over the coast and *Hinterland*, and incorporate the territory in the Zanzibar Protectorate. In this event the Government must make proper terms with the Company, which would, he supposed, remain as a commercial body, and might in that condition still do an immense amount of good. He submitted that, as statesmen, they must adopt one line or the other, and not be the means of retarding the development of our Empire in that part of the world, of placing the Company at a great disadvantage, and of lowering us in the eyes of neighbouring Powers. He was surprised to hear the Under Secretary of State talk about the spending of a great deal of money. He himself should have thought that the spending of a few thousand pounds by the richest Government in the world would have been a small matter.

SIR E. GREY said, he had stated that in estimating the amount of compensation to be obtained they had to remember that the one thing certain at present in regard to the territory was that they had to spend a certain amount of public money upon it.

SIR R. TEMPLE said, he thought the hon. Baronet used the words "much money." It was only a passing phrase, but he believed he was correct in saying that it would be a small sum.

*Sir R. Temple*

\*SIR E. GREY said, what he meant was that what had been spent was a good deal if it was considered that they were being asked to pay the Company in addition.

SIR R. TEMPLE said, he sincerely hoped that the Government realised the extreme importance of retaining the entire Valley of the Nile, from its source onwards, through the whole sphere of British influence. With regard to the district abandoned in deference to what they had deemed to be the just remonstrance of Germany, was he correct in understanding that we still had the right to construct telegraph lines?

SIR E. GREY: Yes.

SIR R. TEMPLE said, that if there was to be the right to construct telegraph lines there must be a right of maintenance, and that would necessitate the construction of some kind of road and buildings for artificers, supervisors, and others. So long as they maintained these things he thought British influence would not have suffered any great check.

MR. CONYBEARE (Cornwall, Camborne) said, he thought there was a great deal of reason in what the hon. Baronet who had just sat down had said with regard to the prospect of our being able to maintain this line of communication along the Congo border. He was bound to say he had always himself thought we had been rather unduly tender to the susceptibilities of Germany in the difficulty which had been raised. He could not conceive how German interests could have been jeopardised in any way by our right of passage in the district in question; but as difficulties had been raised he was rather inclined to agree with the hon. Baronet that it would not have been worth while jeopardising our friendly relations with Germany in order to maintain that which he thought, after all, they would be able to secure. The real fact was that, as far as the present position was concerned, they need not be in a very great hurry about this particular territory. The only portion they had to trouble themselves about was the 160 to 180 miles of thickly-inhabited country on the border of the Congo Free State. He hoped the time was not far distant when a good deal more would be known about that portion



of the country. At present it was inhabited by a tribe who would not allow either Germans or any other white men to penetrate into the district. When hon. Members were discussing this question of distance, and the construction of a railway, he thought it was advisable to remind the Committee that there was a far better and easier and more rapid means of access to the district under consideration through the medium of steamers on the Great Lakes. He was anxious in dealing with these questions that they should take, not only a patriotic, but a broad and International view. He did not see why they should be jealous of the Germans or French. So long as their destinies were bound up with the maintenance of order and prosperity in Egypt itself, it would be exceedingly undesirable to allow the control of any portion of the Nile Valley to slip from their grasp. He believed that in the position in which they found themselves, they were the people of all others who could best promote, and ultimately carry out any experiment in the Nile Valley. This was a most important point in the great scheme which Mr. Rhodes was the first to elaborate — not merely a telegraph line, but a through railway route from the Cape to Cairo. He believed that that was bound up with their work in Egypt, and therefore he was not in favour of withdrawing one jot of their claims to the control of the Nile Valley. At the same time, that was no reason why they should come to loggerheads with France, Germany, or Italy. He believed that by a policy of conciliation it would be possible to develop the prospects of all the nations interested in those parts, and to carry forward civilisation to the furthest extent possible. While he admired and appreciated the value of what Sir Gerald Portal had done, he thought it would be a mistake for them to accept every word of his Report as absolutely correct, or to follow it in every particular. When Sir Gerald spoke, on page 37 of the Report, about the route *via* the Great Lakes being impossible, he considered they might fairly criticise that statement. He held that that route would not be so impossible as Sir Gerald thought. He asked the Government to consider whether it was not worth while to negotiate

with Germany for an easy route through that country's territory from a point near the north corner of Lake Tanganyika to the south-western corner of the Victoria Nyanza. That would be probably 160 or 180 miles. It would, he contended, be far better to try and effect some arrangement of this kind. He was anxious to see International relations developed to the fullest extent between these countries. If they took the route up from Zambesi they had the Belgians on one side, the Germans on the other, and the Portuguese lower down, and themselves following the Portuguese. The best plan would be for them to associate themselves with these different nations, and to come to some arrangement most conducive to opening up the land and for the development of their trade and commerce along with their own. These Great Lakes were open to the trade and commerce of all nations. There was no monopoly possible to any one Company, or party, or country. What they had to look to was the development, as speedily as possible, of steam and railway communication upon these magnificent waterways which, in his opinion, would be a more practical and, from the commercial aspect of the question, far more paying than the proposed railway, through an almost impracticable country, from Mombasa to Uganda. As to the rights or wrongs, or the desirability of exploiting a new country through the agency of a Chartered Company, he had on former occasions expressed his opinion in this House that it was possible, under present circumstances, to avoid doing so. But in addition to the particular case which the hon. Baronet cited, he thought they might take the instance of the East India Company and other cases which had been quite as successful. At present, on the West Coast of Africa they had the Niger Company, which conducted the administration of its territories with great success. Why should the Niger Company on the West Coast be so great a success and the Imperial British East Africa Company be such a failure? He was not at all sure that they should say the British East Africa Chartered Company had failed because it had not received the same free hand which the Chartered Company in the South and the Niger Company had received? These

were not the only Companies. He was rather surprised that no reference had been made to the Hudson's Bay Company. The Hudson's Bay Company was a commercial Trading Company, just as much as any of those now developing the Central or Southern districts of Africa. Again, the Mozambique Company was steadily forging ahead, and if Companies like the Mozambique and Niger Company in Africa had been enabled to do good work, to become paying concerns, and to bring into cultivation large tracts of country from which this country had reaped the benefit—if all this had been done elsewhere, why could it not be done with equal success in East Africa? It appeared to him they had got to find the reason, not in the fact that the East Africa Company had been badly administered—he did not believe it had—not in the fact that it was a Chartered Company, but in what the conditions were in connection with the relations between the East Africa Company and the Government, or the limitations and restrictions imposed upon them, and they should ask whether those conditions might not be an explanation of the failure which everybody regretted. If he were asked for a reason why the Chartered Company of East Africa had not succeeded he might possibly say, in the words of one of the principal representatives of the Chartered Company in South Africa, that it was because they attempted too much to combine philanthropy with trading success and were too tender, perhaps, of the susceptibilities of their own people in connection with the Slave Trade. That view might be entirely wrong, but he had heard such a criticism passed upon them. Whether that were so or not, the gentlemen who had spoken of the British East Africa Company, and the members of the Company themselves might perhaps contrast with a feeling of bitterness the remarkable partiality which the present and past Governments of this country had always bestowed upon the Chartered Company of South Africa with the rather stand-off attitude they seemed to have adopted towards the East Africa Company. He was glad to think that the Government of this country, whether Tory or Liberal, had shown, at any rate, a friendly desire to support to the best of their power the

*Mr. Conybeare*

great enterprise of the Chartered Company in South Africa. He entirely shared the opinion of those who criticised—when criticism was necessary—the policy of the Foreign Office, whoever was the head of it, when the Foreign Office had not made up its mind. He had been in correspondence with the Foreign Office in relation to South African matters, and he was bound to say that a little more sagacity in dealing with that correspondence on the part of the permanent Government officials was highly to be desired. If they could make up their minds in a reasonably short time as to the policy to be pursued, and boldly carry it out, he was sure it would, in future, save them a great deal of difficulty.

GENERAL GOLDSWORTHY (Hammersmith) said, he had much the same feelings on this subject as the hon. and gallant Member for Eastbourne—though he should not express them in the same forcible language—and he would appeal to the Under Secretary to remember, when this question was settled, as he hoped it would be quickly, that some of the loss that had been incurred to the British East Africa Company was due to the action of Her Majesty's Government. He wished to ask the Under Secretary for Foreign Affairs whether the Government would consent to produce the correspondence between the Company and the Government from January 1, 1890, down to the present time, so that they might see how matters really stood? He hoped when the claims of the Company were taken into consideration it would be borne in mind that what the Company had done would greatly benefit this country, and that they would, therefore, be treated on a liberal basis.

MR. J. A. PEASE (Northumberland, Tyneside) remarked, that he did not propose to vote for the reduction of the Vote, because if any Minister had earned his pay it was the Under Secretary for Foreign Affairs. But he desired to press one or two considerations upon the Government. He wished to allude, in the first instance, to the necessity of their being the first in the field if a railway were to be made; and, if that were contemplated, they ought to begin it at an earlier date, and carry out the recom-

recommendations of Sir Gerald Portal by constructing it as far as Kikuyu. If that were done it would benefit their own sphere of influence and rather prejudice other nations; whilst if they allowed other nations to construct a railway to the southern extremity of these Lakes, they, no doubt, would take away the trade from the British sphere of influence. He wished to refer for a moment to the administration in Zanzibar. He believed the system of administration was a ridiculous one, uneconomical and ineffectual. The Sultan of Zanzibar had an Englishman as Prime Minister, Sir Lloyd Matthew; the head of his Army, General Hatch, was another Englishman, and they had as their representative and responsible to their own Government a Consular General. Each of these three Englishmen had his own staff, and each spent money in watching and controlling the Sultan, who was a mere puppet in their hands. There was no law of succession to the Sultanate, and the British Government selected for the office the weakest man they could find, who would be a tool in the hands of his Ministers. If the Sultanate were abolished, the administration might be economised and placed in the hands of one Englishman, who might have absolute control. There were official advisers of Her Majesty's Government who did not favour this step; but there were other high authorities well acquainted with all the circumstances of administration in East Africa who believed it was right that this economy should be effected and the Sultanate abolished. It would be very easy, and could be done at the small cost of a pension to the Sultan, who had no hold either of primogeniture or any other claim on the Throne. The only use of the Sultan of Zanzibar was that he was a sort of figure, behind whom the Under Secretary of State for Foreign Affairs had sheltered himself when confronted with questions in this House. He would point to one or two things that would result from establishing a Crown Colony at Zanzibar or Mombasa on the coast. It would be a valuable base of operations in the event of trouble in that part of the world; it would economise at least £10,000 a year in the expense of the staffs already alluded to; and it would also enable their own Government to re-

duce greatly the war vessels they maintained there. The last suggestion alone would, he estimated, mean an economy of about £150,000 a year. In addition, it would be possible for slavery to be put an end to in the event of the Sultan being abolished and a Crown colony established, and with a reduction of slavery they should no longer require so many ironclads to look after the suppression of slavery on the coast. If slavery was abolished in the Island of Pembar and in Zanzibar the great demand for slavery would be cut off, and the same necessity for maintaining a large station would be diminished. Again, in the administration of the Customs, reform was needed. They were at present farmed by the British East Africa Company for the Sultan, and there was no economy of collection. On page 9 of the Report before them, Members of the Committee would see the following recommendation by the Vice Consulate:—

"Another reform urgently needed is the proper administration of the Customs of the Island of Pemba, where there exists at the present moment administration in name only, and little or no control."

Another advantage would be that individuals who at present escaped taxation would have to pay their fair share of both local and Imperial taxation. Under the administration of the Sultan, and by the Mahomedan law, any individual who had any right whatsoever to claim any citizenship of another nation could escape the burdens of taxation. Not only so, but he could enable any slave whom he employed to escape any such burdens, the result being that a great number of people got scot-free from all taxation or payments to the revenue in those parts under the administration of the Sultan.

**THE DEPUTY CHAIRMAN** (Sir J. GOLDSMID) reminded the hon. Member that the administration of Zanzibar had nothing to do with the question of the abolition of the Sultanate, and the establishment of some other form of Government.

MR. J. A. PEASE thought that as Her Majesty's Government were responsible for the administration it would not be out of his province to allude to one or two recommendations whereby money could be saved, and advantages could be secured which would have justified the

Government in taking a more active course. It seemed to him the Government had allowed things to drift too much, and had not adopted a course which could be thoroughly justified, and, therefore, he thought that, if he could point out to the Committee certain things which, in his opinion, would be beneficial to their country as a whole, he should have been in order in doing so. By the adoption of such an administration as he had suggested the internecine tribal wars which existed inland, to the great detriment of the country, would be settled, and they should be able to perform those obligations they entered into at the Brussels Conference.

COMMANDER BETHELL asked leave to withdraw his Amendment.

\*MR. LAWRENCE asked for some reply to the question which had been put as to whether there would be a further publication of Papers.

\*SIR E. GREY, in reply, said, he did not see that there was any reason for the further publication of Papers with regard to East Africa. A great many Papers had been published lately, and the position was undoubtedly still one of transition, so that the time had not arrived for publishing further Papers. With regard to what he had said earlier in the evening about the question between the Government and the East Africa Company, the Government did not want to deal hardly with the Company; at the same time, they had the interests of the taxpayers to consider as to the fair amount of compensation due to the Company for the work done and the value of that work at the present time. If the Company could not negotiate on those lines then the Government must fall back on the present position of the Company under its Charter, having regard to the question whether the withdrawal of the Company from the greater part of the territory did not entitle the Government to revoke the Charter if the Government desired to exercise the right. Sir Gerald Portal's opinion was that the withdrawal of the Company had practically given the Government the right to revoke the Charter if they chose to do so. He had no further announcement in regard to the railway; and with reference to the question of Zanzibar, he begged to say that he had

never sheltered himself behind the Sultan of that country, who had taken most enlightened views; and the least thing this House could do was to recognise that fact. He had not sheltered himself behind the Sultan; all he had said was that so long as the country was a British Protectorate, the practice of Protectorates must obtain, and so long as it was a Mahomedan Protectorate it must be governed according to Mahomedan law. The present Government had added one Protectorate in East Africa already, and he thought it was going a little too fast to propose that they should change the Zanzibar Protectorate into a British Crown Colony.

Motion, by leave, withdrawn.

Original Question again proposed.

MR. LEGH (Lancashire, S.W., Newton) said, it might be thought that the subject he was about to raise was a subject of minor importance to raise on a Vote on Account, but as hon. Members now got no fair opportunity for discussing the Votes, they were obliged to take every chance afforded for raising questions in which they were interested. He moved to reduce the Vote by £100, in order to call attention to the appointment of Sir Mortimer Durand as Minister at Teheran. He had no desire to say anything against Sir Mortimer Durand. On the contrary, he recognised in that gentleman a distinguished and capable official, and he had no doubt that he was well qualified for the post with which he had been entrusted. But he took this opportunity of making a protest against the system of putting all kinds of people into the Diplomatic Service, which was carried on by both political Parties alike. Of the eight principal posts in the Diplomatic Service—Embassies which might be regarded as the prizes of the profession—no less than four were filled by gentlemen who had had no original connection with the Service at all. If any one would take the trouble to peruse the foreign lists he would discover that the whole Service was permeated by outsiders. He asked whether this system was fair, whether it was reasonable, whether it was even profitable? The Diplomatic Service was recruited by the process of careful selection; the persons who be-

*Mr. J. A. Pease*

longed to it had to pass a severe examination; and he thought it would be admitted that their duties were discharged with zeal and intelligence. That being so, was it not most important that every man in the Service should be induced to interest himself as much as possible in his profession, by being able to look to promotion as a reward for intelligent application to work? But what encouragement was there to young men in the Service if they were liable to be supplanted by one of these gentlemen who had no connection with the Foreign Office and probably were entirely ignorant of the duties they were called upon to discharge? That was a condition of things that did not exist in any other branch of the Public Service. They did not see officers of the Army who had worked their way to the upper ranks of the Service superseded by Admirals. He wondered what would be the feelings of legal gentlemen if, on the vacancy in a Judgeship, a Bishop was put over their heads? Why, if a messenger in a public office or a postman was passed over, there were hon. Gentlemen in the House who would champion his cause and denounce it as a job, but any kind of person was considered good enough to be a diplomatist, and anybody might be called upon at five minutes' notice to discharge duties which it took a good many years to learn. He was aware that the Foreign Secretary was allowed ample discretion in the matter under the regulations, and could pick and choose those persons whom he considered suitable for the appointments; and occasionally excellent reasons were given why particular persons were appointed to particular posts—in other words, because they were, or were supposed to be, experts. That was all right so far as it went; but the expert did not remain in the place where his knowledge and information were of value; he got tired of remaining in the same place; he gradually moved up the ladder like everyone else, and in his declining years found himself at Washington or Lisbon. Sir Mortimer Durand came within the category of a distinguished expert; and he thought it would be of advantage to the country that Sir Mortimer Durand should be able to exercise the knowledge and information he

possessed where that knowledge and information were most wanted. Sir Mortimer Durand was also the special nominee of the Indian Government. The Indian Government contributed part of the expenses of the Persian Minister, and it was only fair that it should have some voice in the appointment. What he would suggest, therefore, was that Sir Mortimer Durand should confine himself to those countries in which the Indian Government had a direct interest. Sir Mortimer Durand might be a most valuable official in Persia, but it did not follow that he would be equally valuable if transferred to Europe or America. He could not help thinking that this proposal would be found satisfactory to all parties concerned. He was quite sure it would be satisfactory to Sir Mortimer Durand himself, because he would prefer to be employed in countries upon which he had special knowledge. He was quite certain that it would be agreeable to the Indian Government, because Sir Mortimer Durand would always be on the spot to look after Indian interests, and no one was better qualified than he to do so. As to the third parties in the matter—namely, the members of the Diplomatic Service, he was quite sure they would be even more satisfied than the others by the proposal. He begged to move a reduction of the Vote by £100.

THE CHAIRMAN: It is not necessary to move a reduction. The hon. Member can make his speech and it will be answered without moving a reduction.

\*MR. J. W. LOWTHER (Cumberland, Penrith) said, his hon. Friend had asked whether it was fair or reasonable to appoint gentlemen not trained in the Diplomatic Service to high diplomatic posts. He answered most emphatically in the negative. He had no hesitation in saying that, in order to be a successful diplomatist, a man must have worked his way up the ladder. *Diplomaticus fit, non nascitur.*

\*SIR S. NORTHCOTE (Exeter) said, that as one who had been connected with the Diplomatic Service he thought the question which had been raised by his hon. Friend the Member for Newton was deserving of serious consideration in the interest of the future position of the Service. At the present moment our



Ambassadors at Paris, Washington, and Constantinople, and also Sir H. Drummond Wolff, and now Sir Mortimer Durand, had been appointed from outside the ranks of the Diplomatic Body. It would be unfortunate for the future of the Diplomatic Service if any impression got abroad that long and claim for promotion. It must be known to all persons having any knowledge of the Service that it was not possible for any gentleman connected with the Service, until after many years in office, to live on his salary; and if promotion were taken away from gentlemen who entered the Service in the ordinary way, and who did loyal and valuable service to the State for many years, he could not help thinking that the consequences would be disastrous to the Service as a whole.

COLONEL HOWARD VINCENT (Sheffield, Central) hoped the Government would continue the policy of selecting the fittest persons to direct our policy abroad. There was nothing more important than that the Foreign Secretary should retain the most absolute power of liberty in selecting men who could advance the interests of this country to fill these important posts. He would like to see an even larger number of the junior members advanced to the higher posts, more especially those men who showed an interest in the advancement of the commercial interest of the country, watched commercial developments, and sent in timely Reports of changes in fiscal policy and commercial action in the countries in which they were stationed. He also desired that the Secretary of State should have greater liberty in transferring to diplomatic posts those Consuls who had shown especial ability. He had in several foreign countries met Consuls of extraordinary ability in advancing the commercial interests of Great Britain, and it would be of the greatest advantage if they could be encouraged in their zeal and activity by knowing that their services were recognised, and that there was a possibility of their being promoted to higher posts in the Diplomatic Service.

\*MR. CURZON (Lancashire, Southport) said, that several of his hon. Friends had discussed with great ability many questions of African policy connected with the Foreign Office Vote. He would therefore say nothing on those subjects, but

*Sir S. Northcote*

would confine his attention entirely to affairs arising on the Continent of Asia. With regard to the point raised by his hon. Friend the Member for Newton, without expressing any opinion on the general question, he should like to say with what very great pleasure he and all who had had experience of matters in the East had welcomed the appointment of Sir Mortimer Durand at Teheran. He hoped that Sir Mortimer Durand would stay at Teheran so long as health, inclination, and ability to serve enabled him to do so; but he should be sorry if his hon. Friend's suggestion was carried out, and if Sir Mortimer Durand were compelled to live all his life at Teheran, or at any other place in the East, which was not at all so pleasant as his hon. Friend might imagine. He desired to allude to three separate parts of the Asiatic Continent. The first was the region of the Pamirs, and the disputed border in that part of the world between Russia and Great Britain. Negotiations on this question had been going on for a long time between the two Governments, and last year Her Majesty's Government discouraged any discussion upon it in that House because negotiations were still proceeding. Another year had since passed, and as far as public knowledge was concerned we were no nearer a settlement now. He should not, therefore, be making an unreasonable or extravagant request if he asked the Government to give them some information on the question before the Session closed. It might be asked what importance there was in this question of the Pamirs, and he was ready to admit that no particular physical or intrinsic importance attached to this lofty, inclement, and sparsely-populated region. But the strategic importance of the Pamirs was overwhelming. There was also much political importance attached to the territory. As long as the frontier between Great Britain and Russia in those territories was undetermined so long would a dangerous feeling of unrest prevail among the wild tribes inhabiting them, and so long would there be constant risk of collision between the outposts of those two great Powers. They had had experience in recent years how easily and quickly such collisions could take place, and it was directly in the interests of both Governments that the difficulty should be settled as soon as



possible; for whatever were the rival interests of Russia and Great Britain in other parts of the world, it would be an absurd grotesque and indefensible thing that those two great Powers should come into armed collision over a territory such as the Pamirs. He hoped he might venture to say that the considerations which Her Majesty's Government must have in view in dealing with the subject were, first, the preservation of the military frontier of India, second, the protection of the interests of our loyal friend and ally the Ameer of Afghanistan, and third, a clear and unmistakable understanding with Russia as to what the actual boundaries were to be. We had had too many disputes in Asia in the past, arising from the possession of shifting indeterminate and inchoate boundaries; and he hoped we would not lose this opportunity of providing ourselves with a boundary in those remote regions which would be precise, scientific, and well defined, and which, by virtue of possessing these conditions, would be a guarantee for the maintenance of peace between two great Powers who never ought to be at war with each other. He would remind the House that, although it was several months since Sir Mortimer Durand's Mission to the Ameer of Afghanistan was concluded, no information had yet been vouchsafed to the House on the agreement arrived at. He did not desire to press his hon. Friend the Under Secretary of State for Foreign Affairs on the point if his hon. Friend conceived it to be in the public interest still to withhold the information, but he could not help observing that the Asiatic policy of the Government had all along been overwhelmed in a somewhat unusual obscurity. He passed now to regions still further East. He must raise again the question of Siam. It might be thought an uninteresting and ancient question by many Members of the House, but those who were acquainted with the subject and realised its vital importance would fully approve of his action in calling attention from time to time to a matter in which British interests were more at stake than in any question affecting any other part of Asia, and on which our prestige and our domination in Asia so largely depended. If the information he had received from that country was correct, matters were in a most unsatis-

factory condition. The King was ill and the Government of the country had almost come to a standstill. A very general apprehension existed both among foreign inhabitants and among the native peoples that still further aggressions were intended by a great European Power. The Government had assured the House that they had the fullest intention of protecting British interests in Siam, but he had never succeeded in ascertaining what was their conception of British interests or of the particular point at which these interests were likely to be touched or imperilled. He should allude to the occupation of Chantaboon, on the southern coast of Siam, which was taken possession of by the French last year, ostensibly as a guarantee for the execution by the Siamese Government of the terms of the agreement between the two countries. It must be remembered that Chantaboon had no connection with the Mekong or with the territories in dispute; it was in an entirely different part of the country; it was the maritime outlet of the provinces on which France had not laid a hand, and its continued occupation by France was a menace to the integrity of Siam. Over and over again the Government had assured the House that the only condition that required to be realised before the French quitted that port was the completion of the trial of a certain Siamese officer alleged to have been concerned in the assassination of a French Militia Inspector near the Mekong River. On the 17th February of the present year he asked a question of his hon. Friend opposite on the subject, and his hon. Friend, in reply, said that assurances had been received from the French Government that their forces remained at Chantaboon only for the purpose of securing that the Siamese Government fulfilled their engagements with regard to this trial. He then asked whether they might expect the evacuation of Chantaboon by the French as soon as this trial took place, and the Under Secretary gave this exceedingly explicit reply—

"Yes, that is the only possible interpretation which can be placed on the assurances of the French Government."

That trial was now over. By a legal process, into the details of which he would not enter, but which appeared to him to be a travesty of justice, this unfortunate



individual having been first acquitted of the charge by a Siamese Court, was condemned by a French Tribunal and sentenced to 20 years of hard labour. That trial being over, the Government were naturally asked whether the French had intimated any intention of carrying out their promise to evacuate Chantaboon, and the House received in reply the surprising intelligence that no such communication had been received by the Government, and that no steps had been taken to remind the French Government of their undertaking. It might perhaps be said that there were further conditions to be fulfilled before evacuation took place. If that was so, why had the Government hitherto deliberately ignored them? Why had they not found out those conditions earlier in the day? He hoped the hon. Baronet opposite would be able to assure the Committee that communications would pass between Her Majesty's Government and the French Government, and that the matter would not be lost sight of. He could not help alluding to the attitude of Her Majesty's Government with regard to the production of Papers. No doubt their action had been characterised by great agility, but it could not be said to have been marked by great confidence in the House of Commons. They had been discussing this matter on and off for a year and a-half, and during all that period, although repeated promises had been made, with the exception of one Protocol, no Papers relating to the main subject had been yet published. A short time ago, when pressed to give the reason for this delay, they were told that fresh Papers could not then be presented because the French Government had just been changed, and that time must be allowed the new officials. He thought the Government in France was sufficiently old now to admit of the Under Secretary for Foreign Affairs overcoming his scruples and presenting the Papers asked for. On the 17th of July the hon. Baronet had said that in a fortnight the Papers would be published. That fortnight had passed, and they had not yet had the Papers, and from former experience in such matters his fear was that owing to these tactics they would not get the Papers in time to have a discussion on the question this year, and

that it would again be a case of the Government allowing matters to "draggie on" from month to month, and from Session to Session until the House, weary of waiting, from sheer disgust allowed the matter to slip altogether. Another question he wished to refer to was the buffer State it was proposed to construct in the extreme North-East of Siam. They had been told more than once by the Government that owing to climatic reasons the despatch of the Commission had been postponed to the autumn of this year; but France had, he knew, not only already appointed her Commissioners, but had sent them out, and he believed that one of them—namely, the French Consul from Bangkok—was by this time actually on the spot. When was it proposed that our Commissioners should start? Who were they, and what instructions were they to receive? Information on these points had been promised again and again, but so far none had been received. He did not attach much importance to the creation of another buffer State; but whether he was right or wrong in that, one thing was certain, it must be a trans-Mekong buffer State alone. The main interest that England had in the whole question was the imperative necessity that existed for preserving the integrity of Siam itself, for it was undoubtedly to the direct interest of this country that Siam should be kept an independent political unit in the Asiatic system, free from the encroachment and aggression of any Foreign Power, whoever it might be. By all means let Her Majesty's Government give a joint guarantee of the integrity of Siam with France if France was willing. If France was willing to assist England in maintaining the independence of Siam, all the better, but if there was any refusal on the part of our neighbours across the Channel to do this, then he submitted that the Government should not hesitate for a moment to take upon itself the responsibility. He should not, perhaps, speak on this matter with so much feeling were it not that he had a great many correspondents in that part of the world who were continually writing to him giving him information which, perhaps, was not similarly communicated officially to Her Majesty's Government. From the in-

formation he had received it seemed that a state of genuine apprehension did exist in Bangkok, and that at a time of general commotion, such, for instance, as the death of the Sovereign, there was cause for fear that a further movement would be made by the advanced Colonial Party in France, which would have the effect of riveting still more firmly the chains of servitude on the unhappy country of Siam. Such a course would be in open violation of the pledges and assurances of the French Government, and most serious injury would be involved to British interests. He ventured to say that the present Government or any other Government that was a consenting party to such a condition of things would be guilty of the gravest dereliction of public duty. He was aware that anyone who expressed with any honesty or freedom the sentiments to which he had now given utterance was liable to find himself very much attacked and vituperated in the French newspapers. That was the penalty that had to be paid by everybody who ventured to set his knowledge or influence—however small they might be—in opposition to the ambition of the extreme Colonial Party in France. He did not complain of that. The members of that able and accomplished nation across the water were entitled, of course, to look after their own particular interests in the first place in the manner best suited to themselves, and were entitled to call British politicians what names and to heap upon them what abuse they pleased—though he could not help being somewhat amused at the sensitiveness to the slightest criticism of these gentlemen who placed no measure on their own invective when addressing British statesmen. He only claimed that the same attention should be given to British interests in the East as he was sure was being given by the French and German Governments on behalf of the interests that their own subjects had in that quarter of the globe. He believed there was no Englishman who was thoroughly acquainted with our interests in the East, in Rangoon, Singapore, Penang, Bangkok, or in any part, from Colombo to Hong Kong, who would not repeat the views which he had uttered in the House, and who had not looked with

distress and regret upon the apparent indifference to what was taking place of Her Majesty's Government. The doors of that House were presently to be closed for six months, and for six months Members of the Opposition would beat at them in vain. They would hear nothing, and get no information from Her Majesty's Government; and he implored the hon. Baronet to give the Committee some assurance that in the interval British interests would not be allowed to suffer, but would be carefully safeguarded by the Government of which he was a Member. There was only one other subject he wished to mention which had reference to events taking place still further to the East—namely, the conflict between China and Japan in Korea. Before, however, alluding to the controversy now proceeding between those countries, he would ask whether some information could be given with regard to Treaty revision with Japan. Our commercial and other relations with that country were governed by Treaties that were concluded more than 40 years ago, and were now obsolete, owing to the astonishing advances that Japan had made in civilisation and reform. It was an open secret that negotiations between the two countries had recently been resumed, and if the hon. Baronet could inform the Committee that they were proceeding towards a satisfactory conclusion, it would be a matter of great gratification to all interested in the maintenance of friendly relations between Japan and this country. He took a personal interest in Korea, because it was scarcely a year and a-half since he spent some time in the Peninsular, and saw there at work the germs that had produced the present unfortunate crisis. The Government stated that war had not broken out, and possibly they ought to describe what had taken place as "military operations," though, after a naval engagement in which 1,700 men were sent to the bottom of the sea, the distinction between "war" and "military operations" did not appear to be very obvious to the lay mind. The subject in controversy was a trifling one. Japan pretended to be interested in the question of reform. She was really anxious to show the superiority of her reorganised forces over

those of her old rival, and also to seek an escape from Party wrangles and the constitutional deadlock at home by a policy abroad that would arouse patriotism among the people. China, on the other hand, had to regard her indisputable and inalienable suzerain rights. She felt that in this case she was the aggrieved party, and could not submit to the provocation she had received. However, they were not concerned to talk about the respective views or policies of China or Japan. He would only speak of the light in which the controversy should present itself to Her Majesty's Government. He had been glad to read in the papers that efforts had been made by Lord Kimberley to bring about a peaceable solution, and so long as war was not actually declared, they might hope that peace was not absolutely out of the question. He hoped that these efforts might still be continued, and might ultimately meet with success. It must be remembered that an Asiatic war was very different from and more serious than a European war. It was certain to be long in duration and bloody in nature, and sooner or later European Powers would be drawn into the vortex. There were great Powers in the neighbourhood of Korea who had an interest in the question, and they might be certain that this quarrel could not long continue without the appearance of other and much greater antagonists on the scene. If warlike operations were proceeded with, he hoped that the Government would take steps to protect the Treaty ports of China with the vast British commerce that daily entered them, and the persons and property of British subjects in Korea. An Oriental people in time of war had no great regard for life and property, and the first victims were usually foreigners. He hoped the Government would take steps to provide for the safety of our countrymen who happened to be in Korea; and should the Government feel compelled in the interests of peace to take in combination with other Powers even stronger steps than mere moral suasion, he believed they would be backed up by public opinion. He begged to move the reduction which stood in his name.

Motion made, and Question proposed,  
 "That the Item (Class 2, Vote 5), of £7,000,  
 for the Foreign Office, be reduced by £500."—  
 (*Mr. Curzon.*)

*Mr. Curzon*

\*SIR E. GREY said, he would endeavour to answer the hon. Gentleman who had just sat down as fully as it was in his power. With regard to the general principle of promotion in the Consular and Diplomatic Service, he fully admitted that it was desirable, when good posts fell vacant, the rule should be adhered to of promotion in the Service. As far as the present Government were concerned, he believed that rule had been generally observed, except in the special case of Sir Mortimer Durand. There had been no attempt in the course of the Debate to recognise that appointment as other than very suitable. Sir Mortimer Durand was appointed specially on the ground of his experience, success, and the abilities he had shown for this particular post. This gentleman being in that post, and having been placed there for special reasons, the Government was not going to give any pledge as to changing that appointment, leaving the Government free to make use of Sir Mortimer's abilities as seemed best to them. As regarded the general principle, he agreed that promotion in the Service should be the rule. As to the question of the Pamirs, he admitted that it was most desirable, in this part of Asia, as in many parts of Africa, that the different Powers interested should, as quickly as they could, arrange boundaries which were definite, precise, and scientific, so as to put an end to the unrest which continually existed in those parts of the world where a clear agreement had not been come to. Undoubtedly, there had been some delay in the progress of these negotiations, but invariably Her Majesty's Government had been able to use both in that House and elsewhere favourable language as regarded that progress, for the reason that there had always been a sincere desire on the part of both Governments concerned to found an ultimate and satisfactory agreement upon them. He was now in even a stronger position to use that favourable language, because, in the course of the last few weeks, they had come to a more favourable position than they were before to assure the House that the negotiations were progressing satisfactorily, and that they were within measured sight of the end of them. Certain details remained to be settled, but having arrived at the present stage, it

was not likely that anything would interfere with the success of the negotiations. At the same time, he was not yet in a position to publish the Papers, but they were in a position to say that this country need have no anxiety as to the ultimate outcome between Russia and ourselves. As regarded Siam, he took the definition of British interests to be to maintain the independence of Siam, and to secure to this country a Treaty with Siam, giving us the Most Favoured Nation Clause in commercial or other respects. The question, of course, was, as to how far Her Majesty's Government were likely to be called upon to protect those interests; and the point which had been especially taken was whether the French occupation of Chantabun was to be indefinitely prolonged. Some words of his own had been quoted. He had spoken those words, of course, according to what he understood to be the circumstances of the incident in question. He had understood that the incident was at an end. How far it could be revived he was not in a position to say, but the words he had spoken expressed the view he entertained at the time he spoke. The French had received a report that an armed Siamese force was in the prescribed zone.

MR. CURZON said, that that was denied.

SIR E. GREY said, his impression was that the French Government had not withdrawn the original statement. But the ultimate question of Chantabun could not be settled by incidents of this kind which occurred from time to time. The point was as to whether the occupation of Chantabun was to be indefinitely prolonged. They undoubtedly relied on the French assurances, made from time to time, that they desired the independence of Siam, and that they had no intention of prolonging the occupation of Chantabun indefinitely. He should push forward the production of Papers. The hon. Member opposite said he had promised that Papers should be produced in a fortnight, and that the fortnight expired to-morrow. If the Papers were not presented within the fortnight he could only say that he had used language which was too sanguine. But if he had used that language hon. Members might be assured that he would press

forward their production to the utmost of his ability. There was no reason why they should be delayed beyond the mere mechanical process of getting them ready for presentation. With regard to the staff of Commissioners, they were in consultation with the India Office, and he imagined that the time for them to start was October. The French Commissioners had been appointed, but he understood that the journey of the French Commissioners referred to was not in connection with the buffer State, but in connection with a visit to the newly-acquired French territory. As to the question of Corea, it was not for him to give any name or definition of what had occurred between the Japanese and Chinese vessels. All he could say was that war had not yet been officially declared between the two countries. Having made that statement, he must leave hon. Members to define as they pleased what had already taken place. But, as long as war was not actually declared, at any rate there was a hope or possibility that the two Powers might come to terms without further enlarging the breach which had occurred between them. The view which Her Majesty's Government had taken with regard to the whole question had been, in the first place, that it was desirable to maintain peace between Japan and China on the ground of the very general interests of British trade. Of course, it was very undesirable that loss should be inflicted on British trade in that part of the world. But, after all, the main interest was that of peace in any part of the world—those large moral grounds which ought to actuate any Government. From the first Her Majesty's Government had offered friendly advice impartially at Peking and Tokio in the interests of peace; and finding other Powers had done, or were inclined to do, the same thing, Her Majesty's Government had asked those Powers, including Russia, if they would act in concert. Favourable replies were received from all the Powers; and they agreed to give in concert friendly advice and to exercise what moral suasion they might in keeping the peace. As long as war was not actually declared, there was some hope of success. As to the question of Treaty revision with Japan, within the last fortnight a Treaty had been signed between

Her Majesty's Government and Japan. He could say nothing further at present, because it would be impossible to make any statement about the Treaty which would not give a partial or unfair view of it until the full text had been laid before the House. It was a matter of great interest and importance, and as far as Her Majesty's Government were concerned, there would be no delay in presenting the Treaty to the House; but it was, of course, necessary to act in concert with the Government with whom the Treaty was signed.

SIR E. ASHMEAD-BARTLETT (Sheffield, Ecclesall) said, the House and the country would hear with pleasure that the Government had tendered advice and counsel to the Governments of Japan and China in the interests of peace, for a serious and protracted struggle between these countries would undoubtedly be of the gravest injury to British commerce, and might ultimately tend to the interference of the Great Powers in the Korean Peninsula, which we had the utmost interest in avoiding. As to the Pamirs, he asked whether the House was to understand that the boundary question was actually on the point of being settled, or that only negotiations for the appointment of a Boundary Commission were on the point of being settled?

SIR E. GREY: When the question is ripe for the appointment of a Boundary Commission it may be regarded as practically settled.

SIR E. ASHMEAD-BARTLETT said, as the question had been going on for two years, he did not think they could congratulate the Government on its progress. The Siamese Question afforded one of the most striking instances of the mistake which the Government of this country made in yielding to the demands of a Power, great or small, whose interests in a particular case were opposed to ours. This question began to assume a form of gravity 12 months ago. The demands of France were at first comparatively moderate. But Her Majesty's Government had backed down before them, encouraging fresh demands, each of which was followed by a fresh surrender. Her Majesty's Government had allowed each of the promises of the French Government to be deliberately

broken; and, owing to the fact that at the critical moment the British squadron was withdrawn instead of being increased, and to the fact that the Government in both Houses made a statement practically giving *carte blanche* to France, Siam fell a spoil. The hon. Member opposite had spoken of maintaining the integrity of the independence of Siam, but he forgot that one-third of the territory had been taken from her and joined to the French possessions, and he forgot the occupation of Chantabun. Six-sevenths of the commerce of Siam was in British hands; the country adjoined our Indian Empire; therefore, its independence of integrity was of vital importance to our credit and prestige in the East; and yet all those encroachments on the part of France were done without any protest on the part of the Government. If the Government hoped to preserve what remained of the independence of Siam, they must show a much bolder front to the French demands. There was one motto in regard to the French which he would recommend the Government to remember, and that was that they were the worst people in the world to run away from.

SIR R. TEMPLE assured the Committee that if Russia were allowed to occupy the Pamirs unrestrained the whole of the north-west of India would be disturbed. Afghanistan would be threatened, Cashmir would be disturbed, and the Punjab would be in a state of anxiety. That being so, he had heard the statement of the Under Secretary for Foreign Affairs that before long there would be a settlement of the difficulty by the demarcation of the boundaries with great satisfaction. He could assure the Government that few subjects more vitally concerned British India than this question. The fact that the region of the Pamirs was so lofty and so barren in many respects showed that there must be some strategic reasons why Russia wished to have control there. But the territory in question was not quite so impervious as might be supposed, because it was easily traversable during some two or three months in the year. As regarded Siam, he believed that if the present state of things was to go on for any lengthened period public opinion there with regard to this country would be most injuriously affected, and the moral

*Sir E. Grey*



mischievous it caused might spread amongst our subjects in the eastern part of Bengal. As he had been Governor of Bengal, the House might test his words on that point. Of course, he had heard with satisfaction the statement that the Government did not regard the interests of this country in Siam as being limited to a purely commercial interest, and that they were of opinion that it extended to the preservation of the independence and integrity of that country. He was afraid the integrity of Siam was shattered and was past praying for; but the independence of Siam, or all that remained of it, could be and ought to be secured, and, therefore, he was glad to hear such explicit assurances from the Government on the subject. But those words must sooner or later be translated into action. Of the many true things the Under Secretary for Foreign Affairs had said, he had never said a truer than that sooner or later the occupation of Chantabun by the French must come up; and when the question did come up, we must be prepared to take a firm stand and declare that so long as British power remained, France could not be allowed to remain in occupation of Chantabun. France had put off the evacuation of Chantabun first on one excuse and then on another. She showed no disposition whatever to leave, and if anything untoward were to occur in Siam—if there was a revolution in the country or if there were disturbances owing to domestic causes—France, if allowed to continue in the occupation of Chantabun, would be able to make a further move, and then what would become of the independence and integrity of Siam? We must take time by the forelock and insist upon a settlement of this question by an International Agreement between the two Great Powers before it was too late; and he ventured to say that if we were not fit or able to take up a strong line against France in this matter, we were unfit to maintain our Imperial possessions in Asia.

Motion, by leave, withdrawn.

Original Question again proposed.

Mr. CHAPLIN (Lincolnshire, Sleaford) rose to call attention to the correspondence that had recently been pub-

lished between the Colonial Department and the Board of Agriculture with reference to the restrictions upon the importation of Canadian cattle into this country. That correspondence was, he thought, of the most extraordinary character, and it would indeed be hard to find any parallel for it in any correspondence that had ever passed between two Government Departments in this country. In order to understand that correspondence, it would be necessary to make the position clear to the Committee. The Committee would remember that in 1892 it was found necessary by the Board of Agriculture to impose restrictions on the importation of Canadian cattle into this country by requiring their slaughter at the port of debarkation. Previous to that time Canadian cattle were permitted to land and pass freely into the interior of the country without any restriction whatever. But in 1892, pleuro-pneumonia—a most disastrous contagious disease—was detected in some of the Canadian cattle landed in this country, and, consequently, in order to comply with the law with regard to contagious diseases in animals, it was found necessary to require the slaughter of the cattle at the port of debarkation. Since then great pressure had been brought to bear upon the Board of Agriculture to get them to relax those restrictions upon the importation of Canadian cattle. The pressure came from three sources, and three sources alone. In the first place, the Canadian Government put upon the Board of Agriculture all the pressure in their power, the Canadian Government representing persons who were interested in cattle ranches and in the cattle trade at the other side of the Atlantic. The second quarter from which pressure was brought to bear was the Colonial Department in this country; and, thirdly, pressure came also from feeders of stock as opposed to breeders of stock in two or three counties in Scotland, and to a still more limited extent from feeders of stock in one or two of the Eastern counties of England. With those few exceptions, he was quite sure he was right in saying that nine out of every 10 of the agricultural community of the United Kingdom heartily approved of the maintenance of the restrictions which had been imposed by

the Board of Agriculture. He might also say, having some considerable experience in the matter, that he was most strongly of opinion that the maintenance of the restrictions for some considerable time was a matter of the gravest possible importance to the agricultural interests of this country, and that it would be impossible to remove them without the greatest risk of bringing back the disease into this country, and without throwing away the money which had been spent that during the last two or three years, and successfully spent by the Board of Agriculture of successive Governments, in saving the flocks and herds of the country from the ravages of pleuro-pneumonia. He must call the attention of the Committee particularly to the action of the Colonial Secretary in the matter. Lord Ripon had, as far back as December, 1892, asked for the removal of the restrictions. That was absolutely impossible, for the disease lay dormant for many months, and the request was very properly refused by the Board of Agriculture. But, in spite of the fact that year after year since then, it had been proved that animals landed in this country from Canada were suffering from the disease, during the present year the Secretary for the Colonies had again brought pressure to bear on the Board of Agriculture to obtain the removal of the restrictions, and pressure, too, which he was sure the Committee would agree with him in describing as without precedent altogether. Writing on the 26th of April of this year to the President of the Board of Agriculture, Lord Ripon said he had great difficulty in accepting the view that the animals were suffering from contagious pleuro-pneumonia, and believed that it was a mild type of disease due to the hardship and exposure of the journey to this country. He (Mr. Chaplin) should say that he thought it the greatest presumption on the part of the head of the Colonial Office to tell the experts of the Board of Agriculture—who were celebrated throughout the world for their great success in their profession—that they did not know their business; that they must be led in this matter by the Colonial Office, and that, despite the overwhelming evidence those experts had produced that the animals were

suffering from contagious pleuro-pneumonia, they did not know whether or not the animals were affected by the disease. Lord Ripon went on, in the same communication, to censure the Board of Agriculture for not having taken his advice and instructions on a subject about which he knew absolutely nothing, for he expressed his regret—and “regret” was always the first word in a Vote of Censure moved in the House of Commons—that the Board of Agriculture had not felt themselves able to accept the recommendation of the Colonial Office that the restrictions should be moved on the re-opening of the trade in Canadian cattle for the approaching season. A Special Committee had been appointed by his hon. Friend the President of the Board of Agriculture to investigate the whole question, aided by the right hon. Gentleman the Member for Bury and other learned gentlemen. That Committee, he was informed, had made a most exhaustive examination of the subject, and had concluded their labours, and he was unable to understand the cause of the delay in laying their Report on the Table of the House. He was, however, informed by some of the Members of that Special Committee that they had conclusively arrived at the opinion that the animals landed from Canada during the present year were unquestionably suffering from contagious pleuro-pneumonia, and it came to this: that if the Colonial Office had been successful in obtaining the removal of the restrictions the gravest risk of injury would have been inflicted on our agricultural community, and on Ireland more than on any other part of the United Kingdom, because Ireland, as everyone knew, was a great stock-breeding country. He had been anxious to draw public attention as emphatically as he could to the action of the Colonial Office in this matter, because it was an action which, if it had been successful, would have inflicted the greatest conceivable injury on that industry which it was his duty to represent in the House, and in which he had the greatest possible interest personally. He did not wish to prolong the Debate, but he hoped that the Government would take this matter into consideration and would prevent in the future this most unwarrantable pressure being brought to

*Mr. Chaplin*

bear by one Department upon another Department.

Original Question put, and agreed to.

Resolution to be reported To-morrow ; Committee to sit again upon Wednesday.

**CROFTERS' HOLDINGS (SCOTLAND)  
BILL.—(No. 294.)**

SECOND READING.

Order for Second Reading read.

DR. MACGREGOR (Inverness-shire) said, he should like to know how long the Government intended to go on playing battledore and shuttlecock with this matter ?

MR. SPEAKER informed the hon. Member that as the clock was striking 12 no discussion could take place on the Order.

DR. MACGREGOR said, he must protest against the action of the Government.

Second Reading deferred till Wednesday.

**MERCHANT SHIPPING<sup>a</sup> (*re-committed*)  
BILL.—(No. 321.)**

COMMITTEE. [*Progress, 25th July.*]

Bill considered in Committee.

(In the Committee.)

Clause 1.

MR. PENROSE FITZGERALD (Cambridge) : I move to report Progress.

THE PRESIDENT OF THE BOARD OF TRADE (Mr. BRYCE, Aberdeen, S.) said, this was a Bill as to which there was no difference of opinion among those affected. The measure had been carefully considered by a strong Committee, and would be of the greatest advantage to the Merchant Service. It was really a Consolidation Bill, and brought together a number of Acts in regard to which there had been confusion. The late Solicitor General was a Member of the Committee and agreed with the Bill. He thought it was understood that the Bill was not to be debated.

MR. CONYBEARE (Cornwall, Camborne) said, he should like to have an assurance that there were no new Regulations in the Bill.

MR. BRYCE : No, Sir.

SIR E. CLARKE (Plymouth) said, this Bill was carefully examined by the Committee, but some question arose as to its provisions, and the parties were invited to appear before the Committee, when they seemed to be in agreement.

MR. PENROSE FITZGERALD : The Bill we are now discussing was placed in our hands this morning. I move to report Progress.

MR. BRYCE : I do not think that the hon. Gentleman or the House would be in any better position for examining the Bill, which, as I have said, is a consolidating Bill.

COLONEL HOWARD VINCENT : Has this Bill been sent to the Chamber of Shipping, and has it been reported upon by them ? I myself only received it this morning.

MR. PENROSE-FITZGERALD : I move, Sir—

MR. MUNDELLA (Sheffield, Brightside) said, he hoped this Motion would not be persisted in. He did not think there was a shipowner or merchant seaman in England who was not anxious that this Bill should pass. It was a Bill consolidating 40 or 50 Acts extending over the last 20 years, and he hoped that such a measure would be allowed to go through. The Bill was circulated last year and referred to a Committee, whose work, he thought he might say, was done in a thorough manner.

\*MR. BUCKNILL (Surrey, Epsom) said, when the Bill was introduced last Session he had an opportunity of going through it, and he told the right hon. Member who had just spoken that the Bill was not in any sense a mere consolidation Bill, and that view was carried out by the Committee, which, after one or two sittings, required that it should be reprinted.

MR. BRYCE said, it was true there were verbal alterations, as there were bound to be in a consolidation Bill. As regarded the substance of the Bill, the Committee, which was a strong one, presided over by the Lord Chancellor, and which had the advantage of including a representative of the shipowners in the person of the hon. Member for West Bristol, assured him that it contained nothing but what appeared in existing

enactments. The House might, therefore, accept the measure as a *bonâ fide* consolidation Bill.

MR. T. M. HEALY (Louth, N.) said, the Committee took enormous pains to see that there was no departure made from the existing law. The draftsman was before them, and he was instructed to see that the Bill was in accordance with the existing Statutes. If work of this kind was to be carried out the House must trust the Committee.

MR. PENROSE FITZGERALD: I move, Sir.

Motion made, and Question proposed, "That the Chairman do report Progress; and ask leave to sit again."—(*Mr. Penrose Fitzgerald.*)

Motion agreed to.

Committee report Progress; to sit again To-morrow.

INDUSTRIAL SCHOOLS BILL [*Lords*].  
(No. 335.)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

SIR F. S. POWELL (Wigan) objected.

MR. PAULTON (Durham, Bishop Auckland) said, he would like to say a word of explanation. This Bill provided for supervision over children who had deserted from a school, who had found suitable and honest employment—a principle which had already been introduced in some schools. He hoped the Bill would be allowed to go on.

\*SIR F. S. POWELL said, he could not agree that the Bill was not contentious. He did not object to its Second Reading, but there were some clauses in it which would require careful examination in Committee.

Motion agreed to.

Bill read a second time, and committed for To-morrow.

EDUCATION PROVISIONAL ORDER CONFIRMATION (LONDON) BILL [*Lords*].  
(No. 300.)

As amended, considered; to be read the third time To-morrow.

*Mr. Bryce*

ELEMENTARY EDUCATION PROVISIONAL ORDERS CONFIRMATION (BARRY, &c.) BILL [*Lords*].—(No. 310.)

As amended, considered; to be read the third time To-morrow.

MESSAGE FROM THE LORDS.

That they have agreed to,—

Local Government Provisional Orders (No. 15) Bill,

Statute Law Revision Bills, &c.,—  
That they have added a Lord to the Joint Committee on Statute Law Revision Bills and Consolidation Bills, and request this House to add one of its Members to the said Joint Committee.

CONSOLIDATED FUND (No. 3) BILL. +  
Read the third time, and passed.

PRIZE COURTS BILL [*Lords*].—(No. 311.)  
Read a second time, and committed for To-morrow.

ADJOURNMENT.

Motion made, and Question proposed, "That this House do now adjourn."

DR. MACGREGOR AND THE CROFTERS BILL.

DR. MACGREGOR said, he wished to explain what he meant with regard to the Crofters Act Amendment Bill. He had understood that the Ministry was willing to go on with this measure if it were not regarded as contentious. He had applied to the Leader of the Opposition, who had told him that he did regard it as a contentious measure. Remembering that the Party opposite gave the Irish leaseholders the benefit of the Irish Land Act, he could not understand why they should refuse to the poor crofters of Scotland what they gave to the Irish leaseholders. He proposed that the Government should bring in a Bill before 12 o'clock, give them an opportunity of discussing it, and throw the responsibility for its rejection upon the right shoulders.

Motion agreed to.

House adjourned at twenty minutes after Twelve o'clock.

## HOUSE OF LORDS.

Tuesday, 31st July 1894.

## COMMISSION.

The following Bills received the Royal Assent:—

Consolidated Fund (No. 3.)

Finance.

Zanzibar Indemnity.

Parochial Electors (Registration Acceleration).

Local Government Provisional Orders (No. 14.)

Local Government Provisional Order (No. 17.)

Local Government Provisional Orders (No. 18.)

## UNIFORMS BILL.—(No. 175.)

## SECOND READING.

Order of the Day for the Second Reading, read.

\***LORD CHELMSFORD** said, in moving the Second Reading, that this was a very simple Bill which had passed through all its stages in the other House. Its object was to restrict the wearing of uniforms of Her Majesty's Military and Naval Services to those serving in the Forces and to prevent their being worn by persons not directly connected with the Services. Provisions were contained in the Bill for exemption in certain cases, and particularly in the case of semi-public bands. The main object really was to prevent the uniforms of Her Majesty's Forces being used indiscriminately for advertising purposes by men carrying sandwich-boards and other persons parading the streets. The first enacting clause provided that military uniforms should not be worn without authority by any person not serving in Her Majesty's Military Forces nor any other dress having the appearance or bearing the regimental and distinctive marks of such uniforms. Exemption was made in the case of bandsmen at public performances for six years from the passing of the Act. During that period they might continue to wear the then

recognised uniform of the band unless it was an exact imitation of a military uniform. In fact, six years were given them to wear out their uniforms. He confessed, for his own part, that he should have been glad if a shorter time had been fixed, and there certainly could be no objection offered on the ground of hardship upon those who had adopted a uniform. Then also persons who had adopted a uniform for the purpose of a stage-play were not to be prevented from wearing it or for circus performances or for *bonâ fide* military representations. The third clause provided that if uniforms were worn by unauthorised persons in such a way as to bring them into contempt, the wearers would come under the penalty imposed by the Act. He was sure the measure would have their Lordships' sympathy, and begged to move its Second Reading.

Moved, "That the Bill be now read 2<sup>a</sup>."  
—(*The Lord Chelmsford*.)

**THE UNDER SECRETARY OF STATE FOR WAR** (**LORD SANDHURST**): My Lords, the noble Lord has fully explained the provisions of this Bill. It has passed through the House of Commons after being threshed out in a Select Committee to whom it was referred, and I have only to say that the Government will be glad to assist the object of the measure.

\***LORD CHELMSFORD** expressed his acknowledgments to Mr. Brookfield and others who piloted the Bill through its different stages in the other House.

Motion agreed to; Bill read 2<sup>a</sup> accordingly, and committed to a Committee of the Whole House on Monday next.

## BRITISH MUSEUM (PURCHASE OF LAND) BILL.—(No. 173.)

## SECOND READING.

Order of the Day for the Second Reading, read.

**THE FIRST LORD OF THE TREASURY AND LORD PRESIDENT OF THE COUNCIL** (**The Earl of ROSEBURY**), in moving the Second Reading, said: My Lords, I congratulate myself on being able to introduce a Bill which I think, even in a fuller House than this, would meet with acceptance. It is for the purpose of securing the future of the



Museum as well as its protection from fire by the acquisition of the property mentioned in the Bill. The additional property consists of 69 houses and their gardens, all belonging to the Duke of Bedford, who has met the wishes of the Museum Trustees and of the Treasury in the most fair and liberal spirit. Of course it is quite obvious that if the Collections in the British Museum go on extending at their present rate it is of the most vital importance to secure the room for their expansion; and it has also been stated authoritatively to the Trustees by the Chief Officer of the Metropolitan Fire Brigade that there is a grave danger to the Museum in the existence of any buildings not in the control of the Trustees between that structure and Montague Street, Montague Place, and Charlotte Street. By this Bill that property will be placed under the control of the Museum authorities, and I think your Lordships will agree that that is a laudable object.

Moved, "That the Bill be now read 2<sup>a</sup>."  
—(*The Earl of Rosebery*.)

Motion agreed to; Bill read 2<sup>a</sup> accordingly, and committed to a Committee of the Whole House on Thursday next.

#### CHIMNEY SWEEPERS BILL.—(No. 132.)

Reported from the Standing Committee with further Amendments: The Report of the Amendment made in Committee of the Whole House, and of the Amendments made by the Standing Committee, to be received on Thursday next; and Bill to be printed as amended. (No. 192.)

#### NAUTICAL ASSESSORS (SCOTLAND) BILL.—(No. 179.)

Reported from the Standing Committee with Amendments: the Report thereof to be received on Friday next; and Bill to be printed as amended. (No. 193.)

#### PUBLIC LIBRARIES (IRELAND) ACTS AMENDMENT BILL.—(No. 180.)

Reported from the Standing Committee with Amendments: The Report thereof to be received on Friday next; and Bill to be printed as amended. (No. 194.)

*The Earl of Rosebery*

#### PREVENTION OF CRUELTY TO CHILDREN BILL [H.L.].—(No. 178.)

Read 3<sup>a</sup> (according to Order); an Amendment made; Bill passed, and sent to the Commons.

House adjourned at a quarter before Six o'clock, to Thursday next, a quarter past Ten o'clock.

#### HOUSE OF COMMONS

*Tuesday, 31st July 1894.*

#### PROVISIONAL ORDER BILLS.

#### CANAL TOLLS AND CHARGES PROVISIONAL ORDER (No. 4) (BIRMINGHAM CANAL BILL (by Order).—(No. 252.)

##### CONSIDERATION.

Bill, as amended, considered.

\*MR. ERNEST SPENCER (West Bromwich) rose to move, in Clause 15, page 6, line 7, to leave out—

"Or where merchandise is conveyed in a boat which does not pass through a lock on the canal to or from a railway basin or railway wharf the Company may charge a minimum toll of three shillings."

He said, that the discussion would be materially shortened by the fact that an agreement had been arrived at by all the parties who were interested, and many questions would be thus avoided which otherwise would have been discussed at considerable length. He had placed Amendments on the Paper under the following circumstances. The Birmingham Canal traversed the whole of his constituency. It was, in fact, a waterway upon which the district had to depend very largely for the movements of goods therein manufactured. It was, therefore, of vital importance that the tolls and charges of the Company should not be in any way exorbitant, or press unduly on the trade of the district. With considerable alarm the traders some time ago saw that a proposal had been made by the Board of Trade in their Provisional Order under the powers of the Railway and Canal Act



to fix a minimum, in the case of traffic carried short distances, of 1s. per boat-load and 3s. if proceeding through a lock. This would mean in many cases a very material increase, and traders were sanguine enough to think it would not be passed by the Joint Committee—or, at worst, would be reduced. It was, therefore, with consternation and dismay—

Black Rod here attended with Message to attend the Lords Commissioners:—

The House went;—and being returned;

#### ROYAL ASSENT.

Mr. SPEAKER reported the Royal Assent to—

Consolidated Fund (No. 3) Act, 1894.

Finance Act, 1894.

Zanzibar Indemnity Act, 1894.

Registration Acceleration Act, 1894.

Local Government Board's Provisional Orders (Confirmation No. 14.) Act, 1894.

Local Government Board's Provisional Orders Confirmation (No. 17) Act, 1894.

Local Government Board's Provisional Orders Confirmation (No. 18) Act, 1894.

#### CANAL TOLLS, AND CHARGES PROVISIONAL ORDER (No. 4) (BIRMINGHAM CANAL) BILL, (by Order).—(No. 252.)

Bill, as amended, further considered.

\*MR. ERNEST SPENCER, resuming, said, that it was with consternation and dismay that the traders saw that the Joint Committee had not only accepted the recommendation of the Board of Trade, but had accepted Amendments which went largely and materially beyond it. The Board of Trade being of opinion that, to a certain extent, an injustice was being done to the Canal Company by its having to carry small loads for short distances by mileage and tonnage rates, had proposed that a minimum should be fixed of 1s. and 3s. when a boat proceeded through a lock. The Joint Committee, however, in addition to this, accepted Amendments by which boats which proceeded to or from a railway basin or railway wharf without passing through a lock should pay a charge of 3s., and by which boats which pass through one or more locks to a rail-

way basin or railway wharf should pay a charge of 5s. It was felt that these additions to the Board of Trade proposals—themselves being a large increase against traders and in favour of the Canal Company—ought to be strenuously opposed, because, in the first place, they established a preferential charge in favour of railway basins, and, in the second place, because they imposed burdens which could not be borne by the traders of South Staffordshire. He, as a consequence, arranged for the Board of Trade to receive a deputation, which he had the honour of introducing. It was a largely representative gathering. He was supported by hon. Members representing Handsworth, Stafford, Wolverhampton, Oldbury, and Walsall. So strong a case was shown that, by the kindness of the Board of Trade, a conference was arranged between the traders and others interested, and an agreement was entered into by means of which the preferential charge to which they objected was withdrawn, and an all-round minimum established—namely, 1s. 6d. per boat, and 3s. when it passed through a lock, this minimum to be universal in character and apply to all cases. He thought that this was a satisfactory conclusion to what would have been a very awkward question. He might say that the traders were grateful for the kindness shown to them in this matter by the officials of the Board of Trade, especially by Sir Courtenay Boyle and Mr. Pelham. It was largely owing to these gentlemen that a matter was settled which, if continued in the condition it left the Joint Committee, would have been fraught with serious if not disastrous consequences to the trade and industries of South Staffordshire, a district already heavily, and in some cases unfairly, handicapped as compared with its more favourably placed rivals, and incapable of bearing fresh burdens, especially at a time of such universal depression that its very existence as a great iron centre was more or less imperilled. He begged to move the Amendment.

\*SIR A. HICKMAN (Wolverhampton, W.) seconded the Amendment. He said that the conference, which was arranged at the instance of the President of the Board of Trade, represented very fairly the traders of the district, and the

arrangement come to was a beneficial one.

Amendment proposed, in Clause 15, page 6, line 7, to leave out

"Or where merchandise is conveyed in a boat which does not pass through a lock on the canal to or from a railway basin or railway wharf the Company may charge a minimum toll of three shillings."—(*Mr. Ernest Spencer.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. LLOYD WILSON (*Widnesbury*) remarked that, unfortunately, as the Bill had not yet been printed, it was impossible to examine it. He thought that there should be a few days' delay so that they could get the Bill before them and consider carefully the effect of the alterations which the Committee had made. The Bill might, of course, be perfectly in Order. They had the assurance of the Member for Wolverhampton that it was in Order, but still it was reasonable that before going further they should have the print of the Bill. If they had the print of the Bill they could confer with the traders and discuss the alterations with them. A few days' delay would not in any way imperil the Bill. It was his view and the view of the traders of South Staffordshire that no increase ought to be allowed in the rates of the canal. He trusted that no increase had been attempted, for the state of trade in South Staffordshire was such that it would not bear any increase. They all knew that the relative cost of carriage was enormously increased as compared with what it was years ago. This had come about in this way: that whilst articles such as iron or tubes were now selling at only half what they were 20 years ago, the canal charges which existed 20 years ago were not reduced. It followed that they were in effect double when set against the prices which were obtained to-day. From this point of view it was highly important that no increase of tolls should be granted. That was one of the reasons why he desired that there should be a careful investigation of this Bill before they proceeded to pass it. He moved that the matter be deferred for a week.

MR. SPEAKER: Does the hon. Member intend to move the Adjournment of the Debate?

*Sir A. Hickman*

MR. LLOYD WILSON: Yes, Sir.

MR. YOUNG (*Cavan, E.*) rose to continue the discussion.

MR. SPEAKER: Does the hon. Member wish to second the Motion for the Adjournment of the Debate?

MR. YOUNG: No, Sir; I merely wish to express my sympathy with the arrangement.

\*MR. SPEAKER: Does any Member second the Motion for the Adjournment?

[There was no response.]

THE PRESIDENT OF THE BOARD OF TRADE (*Mr. Bryce, Aberdeen, S.*) said, that he was glad to say that the compromise which had been arrived at in this matter had been effected after every interest concerned had been heard. He thought that the hon. Member (*Mr. Lloyd Wilson*) would not think that there had been any undue haste in the matter, for certainly the understanding on the part of those who had met at the Board of Trade was that every interest was represented. Every effort had been made to ensure that the matter had been considered from the point of view of every interest, and in this respect he was grateful for the assistance which had been given by the hon. Member for *West Bromwich*. Under the circumstances, the House might be satisfied that substantial justice had been done.

Question put, and negatived.

On Motion of Mr. ERNEST SPENCER the following Amendments were agreed to:—

Clause 15, page 6, line 12, leave out "or where merchandise is conveyed in a boat which passes through one or more locks on the canal to or from a railway basin or railway wharf the Company may charge a minimum toll of five shillings."

Clause 15, page 6, line 6, after "shilling," insert "and sixpence."

Clause 15, page 6, line 15, after "one shilling," insert "and sixpence."

MR. POWELL WILLIAMS (*Birmingham, S.*) said, he did not propose to move the Amendment standing in his name. He understood that various parties interested in the matter had agreed among themselves that it was a proper Amendment to be made, and an endeavour would be made in another place to secure its insertion. Probably,

however, an arrangement would be arrived at by that time.

Bill to be read the third time Tomorrow.

TRAMWAYS ORDERS CONFIRMATION  
(No. 1) BILL [*Lords*] (*by Order*).—(No. 306.)

CONSIDERATION.

Bill, as amended, considered.

MR. A. C. MORTON (Peterborough) moved to add the following new clause :—

"It shall not be lawful for the Company to take or demand on Sunday or on any bank or other public holiday any higher rates or charges than those levied by them on ordinary week-days."

The hon. Gentleman said, these were the terms in which the clause was inserted in the London Tramways Bill, but he had no objection to alter it by inserting the words "without the consent of the Local Authority" after the word "lawful," so as to bring it into line with the clause as inserted in the Bristol Tramways Bill. The object of the clause was to protect the people, especially the working classes, on holidays, and to secure that only the same fares should be charged then as on other days. He thought he was only right in asking that this Bill should be treated in exactly the same way as all the other Tramways Bills which had been brought before them this Session.

Amendment proposed, in the Liverpool and Walton-on-the-Hill Tramways Order, to insert, as a new paragraph, the words—

(As to fares on holidays and Sundays.)

"It shall not be lawful for the Company to take or demand on Sunday or on any bank or other public holiday any higher rates or charges than those levied by them on ordinary week-days."—(*Mr. A. C. Morton.*)

Question proposed, "That those words be there inserted."

MR. W. LONG (Liverpool, West Derby) said, the answer which he had been instructed to give on behalf of the Liverpool Corporation, who were interested in this particular Bill, and the reasons for that answer, were short and simple. The Corporation desired to impress upon the House that if this Motion were carried, either in its present form or in the amended form suggested by the hon. Member for Peterborough, it would

confer upon them a power to vary agreements which had been solemnly and deliberately entered into by them with the Liverpool Tramway Company in 1882. In that year the Corporation made an agreement with the Liverpool Tramway Company fixing the maximum fares which the Company should levy, and at the present moment those maximum fares were lower than the maximum fares usually allowed by Provisional Order. The Corporation had considered this question as it would affect them and their position with the Company. He quite understood that the hon. Member's (Mr. Morton's) suggested amendment of the present clause would practically have the effect of leaving it to the Local Authority to decide this matter; but while the House was ready and willing to confer upon Local Authorities those extended powers, at the same time when the Local Authority, having considered the matter, had deliberately come to the conclusion that they did not want those extraordinary powers, he did not think they were justified in forcing them upon them. The Liverpool Corporation considered the matter so serious that they had come to the deliberate determination, if these powers were placed upon them, to drop the Bill. He gathered that though the clause had not been moved in its amended form the hon. Member (Mr. Morton) would be willing to do so if that were made a condition of acceptance. He was instructed to say that that could not be the case with regard to this particular Bill. What the Corporation of Liverpool felt was that they had entered into a deliberate agreement and arrangement with the Tramways Company, and that this alteration would give them a power to vary the conditions which had been entered into and by which they considered they were bound honourably to abide. This Order only affected a short line of tramways—less than a mile in length—and yet if the clause were carried it would refer to the whole length of 50 miles of trams in the City of Liverpool. It was far too serious a case to be assented to by them, and they had instructed him, on their behalf, to say that if the clause were carried by the House they would feel bound to drop the Order. In the action they were thus taking they were supported by all the other Local Authorities who were concerned. There-

fore he ventured to hope the House would not force the clause upon the Local Authorities, who were determinedly opposed to it, and the effect of which, if carried, would be to at all events postpone work which was urgently necessary in the interests of the people of Liverpool.

\*THE CHAIRMAN of COMMITTEES (Mr. MELLOR, York, W.R., Sowerby) said, he thought the Committee would have no objection to the Amendment in principle; if this were a new Company or a new tramway he thought it would be a right thing that this clause should be inserted. The reason why the clause was not inserted in this Order by the Committee was this: The various Government Departments, as a rule, send in Reports with regard to matter in an Unopposed Bill which they think should be considered by the Committee. Upon this particular Bill the Board of Trade reported to him and to the Committee that the Corporation of Liverpool objected to this clause, and as it was necessary, in the Unopposed Bill Committee, to lay down some rule with regard to these matters, because the parties were not all represented, they considered the Report of the Board of Trade on this Bill, and they came to the conclusion that the safest and best course, under the circumstances, to take was not to insert the clause, seeing that the Corporation which represented the whole mass of ratepayers, and ought to know what was best in this matter, opposed its insertion. If this had been merely the opposition of the promoters, he thought the Committee would have inserted the clause; but as it was objected to by the Corporation, and as it was so reported to them by the Board of Trade, they felt it to be their duty to decline to insert the clause, and to leave it to the House to say whether the view should prevail or not.

MR. SNAPE (Lancashire, S.E., Heywood) said, the objection of the Liverpool Corporation to the clause no doubt arose from the fact that when the original agreement was made with the Tramways Company no such difficulty as this was contemplated, and they had made an agreement which they thought it was desirable to continue under all future conditions. But if that principle were allowed the result would be that under no circumstances could this very

desirable protection to the working classes be adopted by the House and enforced upon Tramway Companies. They all knew that Railway Companies, instead of raising their fares on holidays, reduced them, and the working classes had thus the opportunity of enjoying the facilities to travel, but it was manifest that the Tramway Companies took advantage of their monopolies—monopolies which had been granted by Parliament—to enforce exactions which were little better than spoliation and robbery from the poor. He hoped the House would protect those who otherwise could not have any protection. As to the Company and the Corporation dropping the Order, he did not think it was probable they would do anything of the sort. They had heard threats of that character before.

MR. W. LONG: Perhaps I may interrupt the hon. Gentleman to say that within the last 10 minutes I have been instructed to say, authoritatively and definitely, that if the clause is carried the Corporation will drop the Order.

MR. SNAPE said, he, perhaps, ought to have said that it was not probable they would drop it permanently. If it paid the Corporation and the Tramway Company to make this new extension of their system, there was no question at all that a restriction which would prevent them charging the extra fares on holidays would not be any real and lasting impediment to such extension; and he did not think the House ought to be influenced by that. They were told that at the present moment they did not charge their maximum fares, and that they had not exercised the opportunity of making those extra charges. If that were so, then there was no hardship in asking them to allow this clause to be introduced into the Bill, and he trusted the House would not permit this opportunity of protecting the working classes and the poor in the enjoyment of the vehicular facilities on holidays and similar occasions.

MR. WILLOX (Liverpool, Everton) said, that no comparison could be drawn between London and Liverpool in this matter, because in Liverpool the fares were fixed under an agreement with the Tramway Company, and the maximum could not be increased. Without going into the question of protecting the interests of the working and industrial classes,

*Mr. W. Long*

he would like to point out to the House that this Provisional Order dealt only with a short length of tramway, which was to be a connecting link between two central parts of the tramway system of Liverpool, so as to enable workmen who lived in one part of the town to reach their work in another; so that this extension was not so much to the interest of either the Corporation or the Tramway Company as to that of the industrial classes, of whom the Member for Heywood (Mr. Snape) was the unappointed champion. He should also like further to suggest that this question was not altogether one of protection for the public, or the increase of powers, but it was the question of the observance of an agreement, which had been solemnly entered into, and which had now been in force for a number of years. He did not express any opinion whether or not this clause was desirable in itself, but he was quite sure that this was not the opportune moment to introduce it, because the lease, which had been running for some years, would bind the one side, whereas the Amendment would have the effect of liberating the other side. When the lease expired, and a new one was to be settled, it might then probably be a fair opportunity for considering the enforcement of such a clause, but in the meantime he could affirm the statement of the hon. Member for West Derby (Mr. Long), and say that the Corporation of Liverpool had authoritatively decided that they would not proceed with the Bill if the Amendment was introduced. Further, the Local Board of Walton, which was also a Local Authority, would take similar action, and he thought that where there was no demand made by the Corporation, by the ratepayers, or by the Tramway Company, it seemed somewhat unreasonable that a private Member without local experience should attempt to force this Amendment on a locality of which he had no personal experience. He trusted, however, that the hon. Member would withdraw the Amendment, or that, if he should persist in going to a Division, it would be rejected by the House.

MR. NEVILLE (Liverpool, Exchange) said, he hoped the hon. Member (Mr. Morton) would not persist in this Amendment, not because he did not sympathise with the direction in which it was going, but because he thought the result of per-

sisting in it on the present occasion would be very unfortunate for those very people whom he desired to serve. This was not the case of a Company coming for a large extension of Parliamentary powers or anything of that kind. It was simply a case where the existing Tramway Company wanted to make a very small extension of one of their lines with the view to suit the convenience mainly of the large class of working people who had their business at some distance and to whom this slight extension would offer very great facilities. Rightly or wrongly, the Liverpool Corporation considered themselves under such an express obligation to the Tramways Company, who were their lessees, that [if this Amendment were persisted in they thought it would not be honourable on their part to press forward the Provisional Order. Under these circumstances, the persons whose interests the hon. Member (Mr. Morton) desired to serve could gain nothing, because by his action they would lose the benefits which they would get if this extension were made. He ventured to think this was a case in which the hon. Member (Mr. Morton) would do well to consider before he pressed his Amendment to a Division, with the result, if he was successful, of preventing the enjoyment by the working classes in Liverpool of what would really be a very great convenience and facility.]

THE PRESIDENT OF THE BOARD OF TRADE (MR. BRYCE, Aberdeen, S.) said, he sympathised very heartily with the object of the hon. Member (Mr. Morton), and expressed his regret that in this particular case the Corporation of Liverpool had found themselves unable to accept the provision. He wished they had been able to do so, but the position in which they found themselves was that the Corporation and the Company assured them in the most authoritative way that they would immediately drop the Bill if the Amendment was carried. Whatever additional facilities which the Bill proposed to give would thus be lost, and, knowing the feeling of the Corporation, as expressed by the Member for Liverpool who had spoken, and who might be fairly taken to represent the wishes of the city, he would ask his hon. Friend not to pursue the Amendment. If he divided the House, one of two things would happen: either the Amendment



would be carried, in which case the Bill would be withdrawn, or, if the Amendment should be defeated, the House would appear to have given a decision against a principle which he was sure most of them heartily sympathised with, but which they felt could not properly be applied in this case against the wishes of the Local Authority. Here they had the Local Authority opposing the Amendment, and he did not think the House would be justified in overriding those wishes, supported as they were by Representatives of the city in that House.

Amendment proposed to the proposed Amendment, to insert, after the word "lawful," the words "without the consent of the Corporation."—(*Mr. A. C. Morton.*)

Question proposed, "That those words be there inserted in the proposed Amendment."

**MR. W. LONG** said, the Corporation of Liverpool would object to the amended Amendment just as much as the original Amendment. The Corporation, as the Local Authority, had considered the matter, and they had come to the conclusion that this power was undesirable. They felt that if these powers were to be exercised it would involve the breach of an honourable arrangement entered into with this Company. [*Mr. SNAPE: No.*] The hon. Gentleman, who was not a member of the Liverpool Corporation, said "No," but he was only telling the House the conclusion the Corporation had arrived at. He could not speak from personal experience of holidays, but he could say that the tramways of Liverpool were very largely used, and although he had the honour to represent a purely working-class constituency, he had not had one single objection brought to his notice against the existing state of things at Liverpool, and not one single recommendation in support of the Amendment of the hon. Member (*Mr. Morton*), while he had been urged on the part of Liverpool generally, and of the Corporation and other Local Authorities, to resist this Amendment.

**MR. NEVILLE** said, he was very sorry that the hon. Member (*Mr. Morton*) had not adopted the course suggested by the President of the Board of Trade and himself. He should certainly resist the Amendment, because he thought it a

great pity that the advantages which the Bill conferred should be lost.

**THE CHANCELLOR OF THE EXCHEQUER** (*Sir W. HARCOURT, Derby*) said, he hoped his hon. Friend would not put the House to the trouble of a Division. He must feel that after the strong opinion which had been expressed by the hon. Members for Liverpool on both sides, the House would certainly not be justified in acting contrary to their wishes.

**MR. A. C. MORTON** said, he must take the opinion of the House upon the matter.

Question put.

The House divided :—Ayes 70 ; Noes 139.—(Division List, No. 203.)

**MR. A. C. MORTON** said, that after the Division just taken he would not move what was called "No. 6" on the Paper—namely, to insert in the Liverpool Corporation Tramways (Extension) Bill—

"It shall not be lawful for the Company to take or demand on Sunday or on any bank or other public holiday any higher rates or charges than those levied by them on ordinary week days."

He would, however, move "No. 7," which was to insert that clause in the Croydon Corporation Tramways Bill. He did so because he was informed by an hon. Member acquainted with the Corporation of Croydon that that body were willing to accept the clause with some alteration. [A communication was here made to *Mr. Morton*.] He understood that he had made a mistake, and that the hon. Member did not assent to the clause. Under the circumstances, and considering that the tramway in question was a very short one, he would not trouble the House to divide.

Bill to be read the third time Tomorrow.

**MR. S. HERBERT** (*Croydon*) said, he would move to omit Clause 17 of the Bill, which said that the promoters should not raise their fares on Sundays or public holidays. The clause was struck out by the Select Committee of the House of Lords, and re-inserted by the Chairman of Committees when it came before the Committee on Unopposed Bills. The right hon. Gentleman had stated in his speech on the Liverpool Bill that he had put in these clauses in order that the House might have an



opportunity of deciding on their merits. He understood that the Corporation did not appear before the Committee, and that the right hon. Gentleman the Chairman had no information on the subject before him. He (Mr. Herbert) was not speaking for the Corporation, but from the point of view of the promoters, who were strongly opposed to the insertion of these words. The Chairman of Committees had pointed out that a clause of this sort might very properly be introduced into a Bill promoted by any new Company. He agreed to a great extent with the right hon. Gentleman. This Croydon Tramways Company was not a new Company, but had been in operation for a considerable number of years, and had recently been very largely developing its capabilities. He hoped that considering that the House had just declined to insert in the Liverpool Tramways Bill a clause which was word for word the same as that inserted in this Bill, it would not stultify itself by allowing the clause to remain. He hoped the House would come to the same conclusion as it came to on the Liverpool Bill.

**MR. SPEAKER:** To what Bill is the hon. Member referring—to the Tramways Orders Confirmation (No. 2) Bill—(Right of Extension)? Clause 17 is Power to grant Running Powers.

**MR. S. HERBERT:** It is the second Bill on page 17 of the measure.

**MR. SPEAKER:** Is it not Clause 14?

**THE CHAIRMAN OF COMMITTEES (Mr. MELLOR):** It is a new clause—Clause 34, paragraph 17.

**\*MR. SPEAKER:** The hon. Member moves to omit paragraph 17 of the Tramways Orders Confirmation (Croydon Extension) (No. 2) Bill.

**TRAMWAYS ORDERS CONFIRMATION (No. 2) BILL [Lords] (by Order).—(No. 307.)**

Amendment proposed to Croydon Extension Order, in page 22, to leave out paragraph 34a—

“The promoters or any Company or person working or using the tramways shall not raise their fares on any Sunday or public holiday.”—*(Mr. S. Herbert.)*

Question proposed, “That the words proposed to be left out stand part of the said Order.”

**MR. A. C. MORTON** said, the clause was first inserted by the Board of Trade

when the Bill went before the House of Lords. The House of Lords struck it out, and the Bill came before the Chairman of Committees in the House of Commons, and that right hon. Gentleman re-inserted the clause. This Tramway Company's line practically adjoined the London Tramway system 30 miles in extent, in a Bill affecting which a similar clause was inserted a few weeks back. The Croydon Company covered part of greater London. There had been an appeal from the Corporation of Liverpool, but there had been none such in this case. The Corporation of Croydon had not appeared before the Chairman of Committees, and the only persons who had appealed were the promoters, who thought they should not be restricted as to charges they might make on the people who used their tramway. The Chairman of Committees had seen fit to put this clause in the Bill, and he (Mr. Morton) trusted he would keep it there. At any rate, so far as he was concerned, he should divide against the Motion.

**THE CHAIRMAN OF COMMITTEES (Mr. MELLOR)** said, he thought he ought to state the reasons which induced him to insert the clause in the Bill. He said just now that the best rule on which to decide these matters was to take the opinion of the Local Authorities, whoever they might be, because he thought that the people living on the spot, for whose benefit these Bills were introduced and carried out, were the best judges of the terms upon which the tramways should be constructed. On this Bill the Corporation of Croydon did not appear, and he had no information as to their views. The only persons who appeared before him were the promoters. He heard what they had to say, and as the Bill was unopposed he inserted this clause. In all Bills of the kind where he had no information as to the views of the Local Authorities this clause was inserted. He did not quite understand whether or not on this the hon. Member for Croydon represented the Corporation. [**Mr. S. HERBERT:** No.] Then, if they had no information as the views of the Corporation, and if no one knew what the Corporation had to say on the matter, either one of two courses should be taken—either they should maintain the clause as it had been inserted, or the subject should be ad-

journed, so that the opinion of the Local Authority might be ascertained.

SIR J. FERGUSSON (Manchester, N.E.) said, he thought they should rather come to an opposite conclusion from the premises laid down by the Chairman of Committees. It was surely for the Local Authority to signify their wish if they desired to have a certain provision introduced into a Bill promoted by a local Company. In the present instance the Local Governing Body had made no suggestion; therefore, it was quite extraneous for any other authority to move in the matter. Surely the Local Authorities were active enough in promoting the interests of their constituencies, and if they had not asked for this clause to be introduced it seemed to him *prima facie* evidence that they did not want it.

MR. S. HERBERT said, he perhaps might be allowed to say that, though he did not represent the Corporation on this matter, he did represent it on the subject of the Amendment the hon. Member for Peterborough had put down on the Paper, which had reference to tramways in which the Corporation were directly interested. They were, therefore, interested in the question.

THE PRESIDENT OF THE BOARD OF TRADE (Mr. BRYCE, Aberdeen, S.) said, that the hon. Member was acting merely on inference. For his part, however, it was reasonable to infer that the Croydon Corporation were not interested, as they had expressed no opinion. In the last Division the House had given effect to the view of the Local Authorities because they knew what they were; obviously, they ought to know what the views of the Local Authorities were. He did not understand the hon. Member for Croydon to be in a position to say what the views of the Croydon Corporation were. Therefore, considering the darkness in which the House stood, he thought the suggestion of the Chairman of Committees should be adopted, the discussion being adjourned until they had the views of the Corporation before them.

MR. J. CHAMBERLAIN (Birmingham, W.) said, he did not pretend to know anything of these matters, but this appeared to be a very interesting question. He did not know whether the information given in regard to the Board of Trade was correct. As he understood

it, the clause now objected to was originally inserted at the instigation of the Board of Trade, but that before the Lords Committee the Board of Trade suggested its omission. They themselves represented the desirability of omitting the clause they themselves had previously inserted. He did not know what the reason for that change was, but he was informed that that was the case. It was admitted by the officials of the Board of Trade that it was at their instigation that the clause was withdrawn; and it was re-inserted by the Chairman of Committees. Then came the question, What was the usual practice of the Chairman of Committees? Surely the Unopposed Bill Committee was never accustomed to insert a clause that was in any sense a contentious clause. They only were understood to have the duty imposed on them of inserting clauses in the general interest, and which in other cases had been adopted by Committees of the House. Certainly it would be giving to the Unopposed Bill Committee a most extraordinary power if they were to be entitled, against the opinion of the Board of Trade, to insert a clause which that Department desired to omit. He only wished to state the case as he had heard it from right hon. Gentlemen who had taken part in the Debate. He must say that under the circumstances he thought it was a strong thing to ask the House to support the Unopposed Bill Committee in inserting clauses which the Board of Trade wished to have withdrawn.

\*THE CHAIRMAN OF COMMITTEES (Mr. MELLOR) said, he had no information brought before him, sitting as Chairman of the Unopposed Bill Committee, as to whether or not the Board of Trade approved of the clause, or as to whether it had been omitted at the instance of the Board of Trade. The reason it was inserted was because there was no objection on the part of the Corporation, and in order that the House might pass judgment upon it.

MR. W. LONG said, the right hon. Gentleman the President of the Board of Trade had spoken of the hon. Member for Croydon acting on inference. Well, the right hon. Gentleman did not seem to have realised the true position of affairs. There were two Croydon Tramway Bills, one promoted by the Tramway Company and the other by the Corpora-

Mr. Mellor

tion. In the one case the hon. Member for Peterborough wished to insert a clause, and the hon. Member for Croydon was instructed to oppose it, and it was not an unfair inference that if the Corporation objected to a penalising clause in their own Bill on behalf of their constituents, they would at least, in all honour, oppose the introduction of a similar clause into a Bill introduced by an independent Company working practically under the same circumstances and under the same difficulties. Nothing could be more unfair than to insert this restricted clause in a Bill promoted by a private Company and omit it from a Bill promoted by the Corporation itself. Yet on the evidence before the House that was the course they would be compelled to follow if they proceeded further. The hon. Member for Croydon would much rather that this question should be decided now than that the Debate should be adjourned. The hon. Member would object to the clause if they proceeded further, and under the circumstances he was justified in opposing the imposition of this disparity on the people of Croydon. They had no evidence before them to justify them in coming to the conclusion either that there was any risk of extreme fares being imposed, or that the Company would be able to bear the burden placed on them. Under the circumstances, he hoped that the House would proceed to decide the question.

MR. W. JOHNSTON (Belfast, S.) moved the adjournment of the Debate.

MR. BODKIN (Roscommon, N.) seconded the Motion.

Motion made, and Question, "That the Debate be now adjourned,"—(*Mr. W. Johnston*)—put, and agreed to.

Debate adjourned till Monday next.

## QUESTIONS.

### POLICE PROSECUTIONS AT NAAS AND NEWBRIDGE.

MR. KENNEDY (Kildare, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that the Constabulary at Naas and Newbridge, County Kildare, frame their summons under the Towns Improvement Act for offences committed in those towns in their own names in a

large number of cases, and not in the names of the Town Commissioners; whether the fines thus inflicted are diverted from being wholly applied in relief of the town rate, as only a small portion of them are so applied when the cases are brought forward in that way; and whether he will communicate with the Inspector General with a view of having this irregularity rectified?

THE CHIEF SECRETARY FOR IRELAND (MR. J. MORLEY, Newcastle-upon-Tyne): The police at Naas and Newbridge are sometimes in the habit of prosecuting in their own name at Petty Sessions for offences under the Towns Improvement Act. This practice arose from the fact that Courts under the Towns Improvements Act were rarely held in these towns. The fines inflicted in such cases are not wholly applied to the relief of the town rates. The irregularity that now exists will be remedied.

MR. KENNEDY: Will the Government compensate the Local Authorities for the funds which they have lost owing to this irregularity?

MR. J. MORLEY: I must ask for notice of that question.

### SAMOA.

MR. HOGAN (Tipperary, Mid): I beg to ask the Under Secretary of State for Foreign Affairs whether he is now in a position to report any amelioration in the conditions under which Mataafa and his principal adherents have been exiled from Samoa to the Marshall Islands; whether Jaluit, the island on which Mataafa is imprisoned, is entirely in German occupation, and is only visited by a British trading vessel twice a year; is he aware that the action of Captain Bickford, of H.M.S. *Katoomba*, in handing over Mataafa to the Germans, is deprecated by a number of the British residents of Samoa; and has any Despatch from the British Consul in Samoa, detailing the circumstances of Mataafa's deportation and exile been received; and, if so, is there any objection to giving a summary of its contents?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (SIR E. GREY, Northumberland, Berwick): I have nothing to add to my previous answer on the 5th of June respecting Mataafa's treatment. Jaluit is

in German occupation, but I cannot say how often there is regular communication with it. Mataafa was in the first instance conveyed to the Union group of islands on board a German man-of-war as a matter of convenience, H.M.S. *Katoomba* not having received her supply of coal from Auckland. Subsequently it was arranged by agreement between the three Treaty Powers that the German Authorities should take charge of him. I do not know how the arrangement is regarded by the majority of the British residents in Samoa, but it does not seem necessary to publish Papers upon the subject.

#### RURAL POSTMEN.

MR. HOGAN: I beg to ask the Postmaster General whether he is aware that certain exceptions were made in 1891, when the then Postmaster General (Mr. Raikes) granted increments of salary to established rural postmen; and whether he will now consider the propriety of extending the 1891 scale of increments to such exceptional cases, or to established rural postmen generally who have travelled 70 miles weekly on foot during the past 12 years, and whose hours of duty prevent their official salaries being supplemented from any other source?

THE POSTMASTER GENERAL (Mr. A. MORLEY, Nottingham, E.): The concession of wages on a rising scale is granted only to officers performing a full day's work, and in the case of rural postmen qualified to hold an established appointment it has already been extended to all postmen whose duties could be fairly regarded as coming up to that standard. I do not consider that it would be right to reduce the standard in order to include an additional number of cases, such as those referred to by the hon. Member.

#### CEMETERY FEES AT DALTON-IN-FURNESS.

MR. CARVELL WILLIAMS (Notts, Mansfield): I beg to ask the Secretary of State for the Home Department whether he is aware that the table of fees and charges of the Dalton-in-Furness Burial Board provides for the payment to ministers, in the unconsecrated part of their cemetery, of fees for interments, vaults, tombstones, &c. (varying from 2s.

to £4 4s.), which are identical in amount with those legally payable to the Vicar in the consecrated part; whether this table of fees has received the sanction of the Home Office; and (3), whether, seeing that this is in contravention of Section 17 of 20 & 21 Vic., which provides that such fees shall not be payable in the unconsecrated parts of cemeteries, such steps will be taken as will lead to a revision by the Burial Board of their table of fees and charges for the purpose of making it conformable to law?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. ASQUITH, Fife, E.): (1) My attention had not been previously called to this table of fees, but it appears on inquiry that it contains a column of fees for payment to ministers in the consecrated portion of the cemetery. (2) Such heading is illegal, and does not appear in the print of the table of fees preserved in the Home Office and approved in 1873. (3) The attention of the Burial Board has been called to this irregularity, and the Board have professed their readiness to amend the scale in a manner that may be indicated to them by the Secretary of State.

#### LORD CLANRICARDE'S AGENT.

MR. ROCHE (Galway, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he will state when and by whom Mr. Edward Shaw Tener, agent to Lord Clanricarde, was appointed to the Commission of the Peace for the County of Galway; whether he was the owner of any property in the county at the time of his appointment; whether he is aware that in his capacity of Magistrate he has issued distraining orders to his bailiff to be executed against the tenants on the estate of which he is agent; whether he is aware that upon a recent occasion Mr. Tener, with Mr. Lewis, sat on the Bench at Woodford, and granted a licence for a cattle pound to one of his emergency men for receiving cattle seized for trespassing on evicted farms and for rent due to his employer, although Mr. Hickson, Resident Magistrate, was opposed to granting a licence for an additional pound, as they had already established two in the district, one being in the yard attached to Mr. Lewis's house; and whe-

ther he will direct the Lord Chancellor's attention to the matter?

**MR. J. MORLEY:** Mr. Tener was appointed to the Commission of the Peace for the County of Galway in 1888 by Lord Chancellor Ashbourne, on the recommendation of the lieutenant of the county. He had previously been appointed a Magistrate for the County Cavan by Lord O'Hagan in 1871. Mr. Tener had no landed property in Galway when appointed to the Commission for that county, but he had elsewhere. As regards the third paragraph, it is a fact that Mr. Tener had issued distraining orders for rent to his bailiff, but these orders were granted not in his Magisterial capacity, but as agent to Lord Clanricarde. Landlords and their agents have power to issue such orders. The facts are as stated in the fourth paragraph. It is competent to Justices under the Summary Jurisdiction Act, 1851, when an insufficient number of pounds are established in a district to establish such additional pounds as they shall think necessary. Mr. Tener and Mr. Lewis seem to have taken it upon themselves to establish the pound in question in the absence of the Resident Magistrate, who was opposed to establishing an additional pound, as he believed that the two already in the neighbourhood were quite sufficient for public requirements. I shall refer the papers to the Lord Chancellor for his consideration.

**MR. MACARTNEY (Antrim, S.):** Might I ask the right hon. Gentleman whether the power exercised by Mr. Tener cannot be exercised under the Act of Parliament by power of attorney, and whether there have been any two cases of distraint by Mr. Tener, and that in both these cases the rent was paid immediately after the distraint and the stock released?

**MR. J. MORLEY:** Of course, I cannot answer the question just put by the hon. Member, as I am not acquainted with the circumstances. But this is not a question exactly of the Act of Parliament. It is rather a question of what is judicious and what is injudicious.

**MR. SEXTON (Kerry, N.):** I wish to ask whether these distraint orders can be signed except by a Magistrate, and whether it is in accordance with the

practice for a Magistrate to sign the orders where he himself is the agent?

**MR. J. MORLEY:** An agent has power to issue a distraining order for rent.

**MR. FIELD (Dublin, St. Patrick's):** Has it been brought under the notice of the Government that the agents of landlords are very frequently Magistrates, and use their position as such to sign these distraining notices, and otherwise to promote the interests of the estates for which they are agents?

**MR. J. MORLEY** said, he could not quite follow the question. He had better have notice.

#### COLONEL LONGBOURN, R.M., AND THE CLANRICARDE AGENT.

**MR. ROCHE:** I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that upon Colonel Longbourn's Resident Magistrate appointment to the Petty Sessions District of Woodford, he went to Portumna Castle, and after visiting Mr. Tener Lord Clanricarde's agent, he went to the Woodford Petty Sessions to preside, where Mr. Tener attended to prosecute several of the evicted tenants for trespass on their farms, and Colonel Longbourn inflicted fines very much in excess of those inflicted by his predecessor, Mr. Hickson, R.M., for similar offences; whether he is aware that after the Court he got on Mr. Tener's car, and accompanied him back to Portumna; whether he is aware of the strong feeling existing in the district as to the connection between this Resident Magistrate and the prosecutor Mr. Tener; and if he will inquire into the matter?

**MR. J. MORLEY:** The facts are generally as stated in the first and second paragraphs; the maximum penalties were inflicted in every case on the occasion referred to. After the sitting of the Court Mr. Tener offered to convey the Resident Magistrate on his car back to Portumna, and this offer Colonel Longbourn accepted. The Resident Magistrate having to assist in the decision of these cases of trespass instituted by direction of Lord Clanricarde, or on his behalf, and having regard to the relations existing between Mr. Tener as agent for Lord Clanricarde and the people of Woodford, it seems to me that

the Resident Magistrate acted imprudently under the circumstances. It has not been brought to my knowledge that any strong feeling, as alleged, exists in the district; and it is only fair to add that Colonel Longbourn denies that any connection between him and Mr. Tener exists.

#### WYNDHAM PIT MINE, SOUTH WALES.

**MR. WOODS** (Lancashire, S.E., Ince): I beg to ask the Secretary of State for the Home Department (1) if he is aware that the workmen employed at the Wyndham Pit, North's Navigation, Ogmore Valley, in South Wales, to the number of 1,200, have had to play four days during the last three weeks in consequence of the accumulation of gas in the mine owing to the lack of adequate ventilation; (2) whether Her Majesty's Sub-Inspector Lewis made a visit to this mine on the 16th and 17th of July; (3) whether he visited the following headings, "David Samuels," "Pope's," and "Samuel Jones"; (4) what was the state of the return air in this district; (5) whether this return airway is in a safe condition and of adequate area; (6) whether he is aware that the downcast shaft is 16 feet diameter, and the upcast shaft only 12 feet diameter; (7) whether Her Majesty's Inspector considers this sufficient to ventilate the three extensive mines worked at this pit; and (8) whether the Inspector's Report of his visit on the 16th and 17th can be read to the House?

**MR. ASQUITH**: I am informed by the Inspector that the number of workmen employed at the Wyndham Pit is 660, and not 1,200, as stated by my hon. Friend, which information is confirmed by the workmen themselves. Out of the 660, 470 are employed by day and 190 by night. (2) The answer to the second paragraph is in the affirmative. (3) Mr. Lewis, Assistant Inspector of Mines, visited all the workings of the four-foot seam of the colliery. (4 and 5) The return airway was found not to be in such a satisfactory condition as is desirable, but was being repaired, and is now, I believe, in a satisfactory condition. (6 and 7) The down-cast shaft is 15 feet, and not 16 feet as stated; but in the opinion of the Inspector there is no reason to believe that they are insufficient for the adequate ventilation of the

*Mr. J. Morley*

three seams worked in connection with them. I may add that I have received a copy of a letter, which the workmen of the Wyndham Colliery have sent to the Press for publication, in which they state that, of their own spontaneous wish, they repudiate the statements with much indignation that the colliery is not properly ventilated, and that in their opinion the colliery is in almost a perfect state of ventilation. (8) Under these circumstances, there seems no occasion to read Mr. Lewis's Report to the House.

#### LIVERPOOL TELEGRAPH CLERKS' GRIEVANCES.

**MR. W. LONG** (Liverpool, West Derby): I beg to ask the Postmaster General whether he has now considered the statement submitted to him by the Liverpool Postal Telegraph Clerks Association some two and a-half months ago; and whether he is in a position to announce that some, at all events, of the much needed alterations shall be speedily made?

**MR. A. MORLEY**: I have considered the statement submitted by certain members of the telegraphic staff at Liverpool. Seeing, however, that the position of the telegraphists throughout the United Kingdom was very fully considered in 1890, and that the sanction of the House was then obtained for the expenditure of a large sum of public money in improving their wages and prospects, I am not prepared at the present time to entertain any proposals for further improving the scale of pay; nor do I consider that classification should be abolished, as such a change would, in my opinion, be detrimental to the interests of the Public Service and of the best portion of the staff.

#### BODYKE POLICE.

**MR. W. REDMOND** (Clare, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that the police assisted in bringing the crops away from the farm of the Widow Garney, who was recently evicted at Bodyke by Colonel O'Callaghan; and whether the police have any authority to help the landlord in this or any other manner to carry out the work of eviction?

**MR. J. MORLEY**: The Inspector General informs me that it is not the fact that the police assisted in the bringing



away of crops from the evicted farm in question. It appears that the caretaker of evicted holdings in this locality, who is under personal police protection, recently visited Mrs. Garney's evicted farm and took away about a stone of potatoes and some cabbage. The police in no way assisted him, and were present in the ordinary course of protection duty.

**MR. W. REDMOND:** Why did not the police help the landlord in the eviction?

**MR. J. MORLEY:** They have no authority to help; their duty is simply to protect.

#### THE CLARE MAGISTRACY.

**MR. W. REDMOND:** I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland upon what grounds Mr. Wakely, J.P., was appointed to the Commission of the Peace for County Clare; and whether he is aware that this gentleman resides in County Galway?

**MR. J. MORLEY:** Mr. Wakely was recommended to the present Lord Chancellor of Ireland for appointment to the Commission of the Peace by the Lieutenant of the County Clare. It is true he resides in the adjoining County of Galway, though on the borders of Clare, and he has property in both counties.

#### SOLDIERS' WORKSHOPS.

**COLONEL MURRAY (Bath):** I beg to ask the Secretary of State for War whether facilities exist at any Regimental Districts, or in any garrisons or regimental headquarters at Home or Abroad, to enable soldiers to learn, or keep up any previous knowledge of a trade; and, if so, how the system has been found to work, where tried?

**THE SECRETARY OF STATE FOR WAR (Mr. CAMPBELL-BANNERMAN, Stirling, &c.):** In every corps and in all situations where it is practicable, the Commanding Officer is required by Regulations to establish workshops for the employment and instruction of soldiers in various trades and handicrafts. Difficulties frequently arise through a deficiency of men of the various trades and from other causes; and the large number of recruits in a battalion, in consequence of short service, necessarily militates against any large extension of the system,

but where it can be carried out, the result is considered generally satisfactory.

#### STAINES RIFLE RANGE.

**MR. R. G. WEBSTER (St. Pancras, E.):** I beg to ask the Secretary of State for War whether, notwithstanding the War Office certificate has been withdrawn from the Metropolitan rifle range at Staines, firing still continues at that range, both by Regulars and Volunteers; whether he is aware that the residents in the neighbourhood consider the firing at this range is a source of great danger; whether he is aware that the cattle and sheep have been shot in a field adjoining the butts and paid for by the Rifle Range Company; and if he will direct the range to be closed?

**COLONEL HOWARD VINCENT (Sheffield, Central):** At the same time, I will ask the right hon. Gentleman if he is aware that the withdrawal of the certificate for the Staines Rifle Range still further reduces the inadequate range accommodation for the regular and auxiliary garrison of the Metropolis; what steps the Government propose to take to grapple with this difficulty, and to enable the defenders of the country to be trained in the use of the weapons with which they are armed; and if he will consider the increased difficulties which Metropolitan and Urban Volunteers have, owing to this want of ranges, in complying with the additional musketry requirements of the War Office as regards the capitation grant?

**MR. CAMPBELL-BANNERMAN:** The Company to which this range belongs, having been deprived of their rights over some land at the extreme end of it, the War Office certificate authorising it as a safe range has been withdrawn, and the Commanding Officers of the Volunteer corps which have been using the range have been informed of the withdrawal. I presume that its use by them has ceased. It is not required for the Regulars, and they do not use it. I have not heard of any accidents having occurred such as are indicated, but I am aware that some of the neighbouring residents have objected to the shooting. The range belongs to a private Company, and the Secretary of State has no power to interfere further with the control of their property. Undoubtedly the withdrawal of the certificate from the range

at Staines will, for a time, reduce the available accommodation for the Volunteers. The Government do not propose further to intervene in the matter, as existing Regulations empower Volunteer corps to combine for the provision of suitable ranges. The new Musketry Regulations in no way increase the difficulty of providing ranges; on the contrary, they rather simplify the question.

**COLONEL HOWARD VINCENT :** Will the right hon. Gentleman bear in mind the enormous difficulties Volunteer corps experience in finding a range?

**MR. R. G. WEBSTER :** Is the right hon. Gentleman aware that at the present time the people of this district are in danger by reason of the use of this range?

**\*MR. CAMPBELL-BANNERMAN :** I repeat that I have no control over the range so long as it is used for practice only. All I can do is to withdraw the certificate, allowing it to be used for ordinary prescribed firing. Obviously the Company who own it may allow or prevent anyone using it. As to the last paragraph of the question, and the purposes of the capitation grant, that is a large subject with which I should not like to deal in an answer.

#### THE POST OFFICE AND THE NATIONAL TELEPHONE COMPANY.

**MR. HARRY FOSTER** (Suffolk, Lowestoft) : I beg to ask the Postmaster General whether he is correctly reported in *Hansard* of 31st August, 1893, to have promised, in reply to the hon. Member for Canterbury, that the proposed Agreement between the Post Office and the National Telephone Company should be submitted to Parliament for their sanction; whether he is aware that the Chairman of the National Telephone Company, in his address to the shareholders, is reported in *The Times* of the 26th instant to have stated that all difficulties in the matter had now been practically overcome, and the agreement would shortly be submitted for confirmation to the House of Commons; and whether the House will be given an opportunity of considering the Agreement, having regard to the pledges given by him and the very important public interests involved, before the Agreement becomes a definite and binding contract?

*Mr. Campbell-Bannerman*

**MR. A. MORLEY :** I did not, on the 31st August, 1893, say that the Agreement would be submitted to Parliament for their sanction. If the hon. Member will refer to the report he will see that I merely said that it would be submitted to Parliament, and, as at that time it was not intended to lay the Agreement on the Table before it was finally signed, it is clear that I could not have intended to ask Parliament for their sanction. On the 8th of September several questions were addressed to me, including one by my right hon. Friend the late Postmaster General, and I then stated that in view of what appeared to be the intention of some Members of the Select Committee of 1892, I had decided to lay the Agreement on the Table before it was signed. To that decision I adhere; and I hope to be in a position to do so before the House goes into Committee on the Telegraph Estimates. I observe that in the speech to which the hon. Member refers, the Chairman of the National Telephone Company is reported to have said—

“We are, of course, advised that the Agreement is already in existence, having been signed two years ago on behalf of the Government and this Company.”

and, he added,

“I apprehend no serious objection being raised to it by the House of Commons.”

#### INLAND REVENUE BUSINESS IN BERWICKSHIRE.

**MR. JACKS** (Stirlingshire) : I beg to ask the Secretary to the Treasury if he is aware that the Inland Revenue business in Berwickshire is conducted by officials in Dumfriesshire; that their want of knowledge of the district and of the industries of the County of Berwick causes much inconvenience and dissatisfaction; if he will explain why this state of things exists; and if he will take steps to have it remedied?

**\*THE SECRETARY TO THE TREASURY** (Sir J. T. HIBBERT, Oldham) : It is not understood to what particular branch of Inland Revenue business the question refers. If to the collection of taxes, I am informed that, although the Collector of Inland Revenue who receives the taxes for Berwickshire is stationed at Dumfries, he holds a sitting in the county town of Berwickshire in January. No complaint of inconvenience with regard to the collection of taxes appears to have



reached the Inland Revenue, nor any expression of dissatisfaction.

#### DUBLIN SORTING OFFICE.

MR. FIELD: I beg to ask the Postmaster General whether the revision of the Sorting Office, Dublin General Post Office, has yet been completed, as it appears to have been under consideration for a long time?

MR. A. MORLEY: The proposal for the revision of the Sorting Office, Dublin General Post Office, has not yet been received in this Office. I am informed that it is still under consideration in Dublin, but that it cannot be completed satisfactorily until after the opening of the new Parcel Sorting Office.

#### IMPERIAL PENNY POSTAGE.

CAPTAIN SINCLAIR (Dumbarton-shire): I beg to ask the Postmaster General whether the Official Report of the Wellington Postal Conference has been received; whether he can state to the House the purport of the Report so far as it relates to the Imperial Penny Postage; and whether any later expressions of opinion have been received from any of the Colonial Governments on the subject?

MR. A. MORLEY: I have now received the Official Report; and the resolution of the Colonial Conference on the subject mentioned is in the following terms:—

#### PENNY POSTAGE FROM GREAT BRITAIN TO AUSTRALIA.

Resolved, "That with regard to the proposals from time to time made for penny postage between Great Britain and the Colonies, and, more recently, that such be adopted for letters from the United Kingdom, leaving the rate from the Colonies as at present, this Conference, while recognising the desirableness of adopting the lowest possible rate, desires to express the opinion that the heavy cost of providing speedy and regular communication does not admit of any further reduction being made at the present time, the reduction to 2½d. in 1891 having resulted in an annual loss to the Colonies of about £40,000; and that the partial reduction proposed—namely, in the rate from Great Britain—would be most undesirable, as such a measure would compel the Colonies to reduce their inland and intercolonial rates from 2d. to 1d., involving a probable loss to them of £250,000 per annum, in addition to that already mentioned as the result of the reduction to 2½d., and that a copy of the foregoing be transmitted to the Imperial Government."

The only later expression of opinion

which has been received from any Colonial Government on the subject is a telegram from New South Wales to the Agent General for that Colony in the following terms:—

"Inform Lord Ripon we repudiate any action taken by Mr. Heaton *re* Penny Postage, and have sent the following telegram to Victorian Government. This Government dissents from the proposed cable message to Mr. Henniker Heaton for the reasons urged at the Conference by the Postmaster General and other delegates. Mr. Heaton in no way represents this Colony in his views in postal matters."

MR. HENNIKER HEATON (Canterbury): Is the Postmaster General aware that Sir James Patterson, Prime Minister of Victoria, has denounced the action of the New Zealand Postal Conference as foolish and not in accordance with Australian public opinion; that he has telegraphed to the other Australian Governments cordially approving of Imperial penny postage and my action; that the Governments of New Zealand, Tasmania, and Victoria also concurred in a request to send to England a telegram to this effect; and that the Government of New South Wales (Sir George Dibbs) which has dissented, was turned out of Office a few days after the despatch of the telegram to the Agent General?

MR. A. MORLEY: No doubt the telegram from New South Wales was in answer to the one from the Victorian Government.

#### CRUELTY TO CHILDREN.

MR. POWELL WILLIAMS (Birmingham, S.): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the case of Elizabeth Saunders, convicted on the 23rd instant at Westminster Police Court of cruelty to three children, and sentenced by Mr. de Rutzen to a term of three months' imprisonment for each offence, or nine months in all; whether he is aware that Provincial Justices, sitting in Petty Sessions, are advised by the Magistrates' clerks that under the Summary Jurisdiction Acts they cannot sentence any prisoner to a punishment exceeding a term of six months with hard labour, except in cases of failure to find security for good behaviour at the end of that term; and whether the London Police Magistrates have larger powers of punishment than Provincial Magistrates sitting in Petty

Sessions possess ; or whether it is to be understood that Courts of Summary Jurisdiction both in the Metropolis and in the Provinces have powers to inflict cumulative sentences which may extend beyond six months' hard labour ?

**MR. ASQUITH :** I am advised by the Chief Magistrate that the only restriction in any statute to the passing by Justices of consecutive sentences is contained in the 18th section of the Summary Jurisdiction Act, 1879, which only restricts the power in respect of several assaults committed on the same occasion. The London Police Magistrates have no larger powers than Provincial Magistrates, and the sentence passed on Elizabeth Saunders was perfectly legal, and might have been properly passed by Provincial Magistrates sitting in Petty Sessions.

**MR. POWELL WILLIAMS :** Then if there had been six children instead of three the Magistrate would have had power to inflict 18 months' imprisonment ? Is that a proper power for him to possess ? I will call attention to this matter on the Estimates.

#### MILITARY AND ORPHAN FUNDS IN INDIA.

**SIR G. BADEN-POWELL** (Liverpool, Kirkdale) : In the absence of the hon. Member for Central Hull, I beg to ask the Secretary of State for India when the last valuations of the Bengal, Madras, and Bombay Military and Orphan Funds were made ; and whether in accordance with the provisions of Clause 2 of the Act 29 Vic., c. 18, it is possible to increase the benefits now receivable by the subscribers and their families, and to whom the surplus of those funds will ultimately revert ?

**THE SECRETARY OF STATE FOR INDIA** (Mr. H. H. FOWLER, Wolverhampton, E.) : The last and only valuations of these funds were made in 1863 (Madras), 1869 (Bengal Military), 1870 (Bombay), and 1872 (Bengal Orphan). Since the passing of the Act quoted by the hon. Member and on a consideration of the said valuations, additional benefits were conferred on subscribers and their families as a final adjustment, and no further concessions can be made. There is no surplus, as the assets and liabilities

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were merged into the general revenues of the Government of India on the passing of the Act, since which time no separate accounts have been kept.

#### INDIAN FOREST SERVICE DEPARTMENT.

**SIR R. TEMPLE** (Surrey, Kingston) : I beg to ask the Secretary of State for India whether he is aware that the covenanted members of the Forest Service Department of India memorialised the Secretary of State for India 10 years ago, praying that the scale of pensions applicable to covenanted officers of the public works should be granted to them ; whether the Government of India repeatedly recommended the grant of this scale of pensions, including special additional pensions of conservators of the first and second grades and Inspector General ; whether he is aware that in the prospectus of the forest curriculum of Cooper's Hill it is stated that forest officers have been placed on an equality with public works officers in the matter of pensions, and that nothing to this effect has been published in India ; whether the concessions, including special pensions to conservators and Inspector General, have been granted to officers now in the forest service and to those to be appointed hereafter ; whether forest officers have in every respect been placed on terms of equality with public works officers, as stated in Cooper's Hill prospectus ; and whether, if the concessions have not been granted, copies of the several recommendations and of the replies of the Secretary of State for India will be laid upon the Table of the House ?

**\*MR. H. H. FOWLER :** My answer to the hon. Baronet's first question is, Yes. With regard to the second question, the first recommendation of the Government of India did not include the grant to forest officers of the special scale of pensions which, for exceptional reasons, had been granted to the Public Works Department alone. But in 1889 they did make such a recommendation as is described in the question ; and they repeated it in 1891 and 1893. My answer to the third question is, Yes. With regard to the fourth question, in a Despatch of the 21st of September, 1893, the Secretary of State authorised the grant to forest officers appointed from England of

pensions on the same terms as are permitted in the case of civil engineers, up to a maximum of Rs. 5,000 a year, with an addition of Rs.1,000 in the case of officers who shall have rendered not less than three years' approved service as the head of the department in any province, and whose special merits may be considered to be deserving of such a concession. In reply to the fifth question, forest officers appointed from England, who are now in or hereafter enter the service, will receive the same pensionary benefit as engineers hereafter appointed, but not the exceptionally high pensions granted in past years to the Public Works Department. The Correspondence is still incomplete, but when it is complete there will be no objection to lay it on the Table.

#### CARLOW DISTRICT LUNATIC ASYLUM.

MR. BARTON (Armagh, Mid): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he has yet received the Official Report of the proceedings of the Board of Governors of the Carlow District Lunatic Asylum, held on the 13th instant; is he aware that the Board of Governors proceeded to elect an assistant medical officer on that day; that the resident medical superintendent had by advertisement notified that the election would not take place on that day, and by letter informed one of the candidates that it would not take place; and that the agenda papers distributed to the Governors contained no notice that the election would take place; whether the election held under the circumstances on that date was invalid; and whether an opportunity will be given to the Governors of holding a valid election?

MR. J. MORLEY: The Minutes of the Proceedings of the Board of Governors at their meeting held on the 13th instant has been submitted to the Government. The question of the validity of the election to the office of assistant medical officer is at present under the consideration of the Law Officers, and, pending their opinion on the matter, it is inadvisable to discuss the details arising out of the election.

#### EVICTON AT MUNGRET.

MR. BARTON: I beg to ask the Chief Secretary to the Lord Lieutenant

of Ireland whether he can give any information to the House with reference to the violent resistance, on Wednesday last, of a tenant named Bridgman, near Mungret, County Limerick, to eviction for five years' arrears of rent; whether he is aware that the agent was struck on the head with an iron bar, the Sheriff tripped up and otherwise obstructed, and two bailiffs wounded; and whether he intends to take any further steps with reference to any of the persons concerned?

MR. J. MORLEY: On the 25th of July, Mr. O'Brien, the landlord's agent, went with Mr. Hobson, the sub-Sheriff, for the purpose of evicting a tenant named John Bridgman, who farmed 31 acres of land near Mungret, County Limerick, at a rent of £31, and against whom a decree for possession for non-payment had been issued amounting to £106. Bridgman gave up possession to the Sheriff, but his son was hostile, and a crowd of about 30 men and women assembled. When the bailiffs put out the goods Bridgman refused to leave, and the Sheriff caught him by the shoulder and pushed him; he resisted, but otherwise the Sheriff was not assaulted. Mr. O'Brien was struck on the head with a bar, and lost blood, but no serious injury was inflicted, and he will not prosecute for the assault. No police protection was requisitioned, but when passing the police barracks a few minutes before the eviction, the Sheriff appears to have asked for protection, which could not be given, as there was only one man in the barracks. A similar request was then made to a barrack in another district, but the police there could not give protection without authority. What occurred was altogether due to the action of the Sheriff in going out to evict Bridgman without sending in a requisition for police protection in the regular manner. The Sheriff subsequently applied for protection in the ordinary way for July 28, and the eviction was duly carried out on that day without any trouble. It does not appear that two bailiffs were wounded, but I have called for further information on this point. Inquiries will also be made as to whether the police have initiated proceedings.

MR. BARTON inquired if it was intended that the benefits of the Eviction

Bill should be conferred on such tenants as these?

MR. J. MORLEY's reply was inaudible.

MR. MACARTNEY: Did not the Sheriff apply for assistance? On what ground was it refused by the police?

MR. J. MORLEY: They did apply for assistance; but, as I explained, there was only one man at the barracks.

#### EVICTED TENANCIES IN IRELAND.

MR. FISHER (Fulham): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he can now give the House an accurate estimate of the aggregate rental of the whole field of the evicted tenancies which may come under the action of the Evicted Tenants (Ireland) Bill; whether he will furnish the Members of the House with figures showing the number of the claimants before the Mathew Commission whose tenancies were determined in each year between 1879 and 1894; and the total rental of the holdings so determined in each year from 1879 to 1894 respectively?

MR. J. MORLEY: The total estimated number of claimants coming under the Evicted Tenants (Ireland) Bill is 4,076, and the aggregate rental £142,077. Of these, 3,676 were claimants with an aggregate rental of £130,077 before the Mathew Commission, and 400 the number of persons who have been evicted since January, 1893, and who may probably appear as claimants, with an aggregate rental of £12,000. The cases of the claimants before the Mathew Commission could be classified by each year, but this would involve some time. It would not be practicable to make such a classification of the possible claimants since that Commission, the figures in their case being necessarily an estimate. The original estimate of the probable amount was thus an under-estimate, the average rental under Appendix G not having been at the time available.

#### BOARD OF IRISH LIGHTS.

MR. FIELD: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the Board of Irish Lights were within their rights in refusing information about contracts to a Member of this House, who requires the parti-

*Mr. Barton*

culars on behalf of his working men constituents?

MR. J. MORLEY: It would be convenient if the hon. Gentleman would give notice of this question to my right hon. Friend the President of the Board of Trade.

THE PRESIDENT OF THE BOARD OF TRADE (MR. BRYCE, Aberdeen, S.): The control of the Board of Trade over the Lighthouse Authorities is a financial one only, and I have no power to interfere with the Board of Irish Lights on such a matter as the hon. Member refers to.

MR. FIELD: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he will bring in a Bill this Session to alter the constitution of the Irish Lights Board, and to extend the franchise upon which they are elected?

MR. J. MORLEY: I have already stated to the House that the present constitution of the Board of Irish Lights cannot be regarded as satisfactory, and that I was aware of the desirability of having a representative element introduced on the Board. The subject is engaging the attention of the Board of Trade, the Department more immediately concerned. I do not, however, see any prospect of legislation on the subject being introduced this Session.

#### INSPECTORS OF METALLIFEROUS MINES.

MR. J. W. LOWTHER (Cumberland, Penrith): I beg to ask the Secretary of State for the Home Department whether Mr. Leck, Postmaster at Cleator Moor, who has recently been appointed Assistant Inspector of Metalliferous Mines, has passed any examination entitling him to receive a first-class certificate as manager of a mine; and whether he is within the limit of age prescribed for candidates for appointments as Inspectors of Mines?

MR. ASQUITH: For the appointment of Inspectors of Metalliferous Mines *per se* no limit of age or qualification as to previous employment underground has as yet been prescribed, the few appointments of the kind having been conferred upon gentlemen who, on account of their training and experience, have been considered qualified to hold them.



**MR. J. W. LOWTHER** : Will this gentleman be called upon to satisfy the Civil Service examiners or to pass any examination before he undertakes these duties, and is the right hon. Gentleman aware that this Mr. Leck is the same gentleman who acted as electioneering agent for the hon. Member for West Cumberland at the last election, and received £100 for his services?

**\*MR. ASQUITH** : This is the first I have heard that Mr. Leck acted as electioneering agent for any gentleman. Mr. Leck will not be required to pass any examination. He is one of the batch of three Inspectors of Metalliferous Mines whom I have appointed, and in the case of all of them the Treasury has not pressed for an examination, as the gentlemen are specially qualified.

**MR. WOODS** (Lancashire, S.E., Ince) : Has Mr. Leck any practical experience of mining?

**MR. ASQUITH** : Yes, very considerable.

**MR. STUART-WORTLEY** (Sheffield, Hallam) : Does the right hon. Gentleman adhere to the statement that all the qualifications as to age, technical requirements, and service underground have not hitherto been required for Inspectors both of coal mines and of metalliferous mines?

**MR. ASQUITH** : They have been always required where the Inspectors have to inspect both coal and iron mines.

**MR. STUART-WORTLEY** : Then I would ask whether this gentleman, after he has received his appointment, will not, under Section 39 of the Coal Mines Act, 1887, be qualified to act as a Coal Mines Inspector?

**\*MR. ASQUITH** : No; it has been specially inserted as one of the conditions of his employment that he shall not so act.

**MR. J. W. LOWTHER** : I beg to give the right hon. Gentleman notice that I shall on the first opportunity available call attention to this matter.

#### SAND HEAPS IN LONDON PARKS.

**MR. CROSFIELD** (Lincoln) : I beg to ask the First Commissioner of Works whether he can provide a heap of clean sand for the amusement of the children who frequent the St. James' and Green Parks?

**THE FIRST COMMISSIONER OF WORKS** (Mr. H. GLADSTONE, Leeds, W.) : I am inquiring of the London County Council as to the result of experiments they have made in this direction.

**MR. TOMLINSON** : Is there any known method of keeping the sand clean when it has been provided?

[No answer was given.]

#### RATING OF GOVERNMENT BUILDINGS.

**MR. HANBURY** (Preston) : I beg to ask the Secretary to the Treasury whether the Treasury valuer is charged with the valuation for rating purposes of land and buildings maintained at the expense of the Government of India as well as of those paid for out of British Revenues; and, if not, what is the system upon which India Office property is valued for rates; and whether the official valuer, if any, for the India Office can exercise the same check upon the valuation for rating purposes in the case of Indian property as is exercised by the Treasury valuer in the case of the property of all British Departments?

**SIR J. T. HIBBERT** : The Treasury valuer is not directly charged with the valuation for rating purposes of land and buildings maintained at the expense of the Government of India, but he assists in the valuation of such property when called upon. Property occupied by the Indian Government is exempt from rateability equally with that occupied by the Home Government, and the exemption rests on the same grounds. The India Office stands in regard to the giving of contributions for its property in precisely the same position as the Treasury stands in regard to giving contributions for property occupied by the Home Government.

#### THE DIBBS MINISTRY.

**MR. HENNIKER HEATON** : I beg to ask the Under Secretary of State for the Colonies whether any telegram has been received at the Colonial Office from the Governor of New South Wales announcing the resignation of the Dibbs Ministry, and the refusal of the Governor to appoint a number of gentlemen to the Legislative Council on the recommendation of the retiring Ministry; if so, whether he is in a position to communicate

the contents of the Governor's Message to the House?

**THE UNDER SECRETARY OF STATE FOR THE COLONIES** (Mr. S. BUXTON, Tower Hamlets, Poplar): Sir George Dibbs' Ministry desired to add 10 gentlemen to the Legislative Council, the Governor thereupon offered to add three. This proposal was, however, declined, and the Government thereupon resigned. Mr. Reid is now engaged in forming a Government.

**MR. W. REDMOND**: Has a Colonial Governor the power to refuse to nominate gentlemen to the Legislative Council when recommended by the Government?

**MR. S. BUXTON**: A Colonial Governor has the power to refuse the proposals of his Ministry, but he is under the obligation, if they resign in consequence, to find another Government to carry on the business of the country.

#### THE ARMENIAN PRISONERS IN TURKEY.

**MR. SCHWANN** (Manchester, N.): I beg to ask the Under Secretary of State for Foreign Affairs whether he is able to communicate the results of the renewed efforts which Her Majesty's Ambassador at Constantinople has been desired to make on behalf of the Armenian Archbishops of Marash and Zeitoun and the Bishops of Hadjin and Arabgir, whose liberation is claimed on the ground that they have been unjustly punished; whether success has attended the efforts of Sir Philip Currie to obtain the release of the prisoners detained without trial in the prisons of Aleppo, Sivas, Angora, Van, Yuzgat, Adana, and Sinope; and whether, in view of the frequent representations in this House and elsewhere of the position of these untried prisoners, the Government will lay upon the Table of the House further Papers giving information as to the steps taken on behalf of the Armenians in Turkey?

**SIR E. GREY**: I informed the hon. Member on the 19th of April that in the opinion of Her Majesty's Government it would serve no useful purpose to make any representation on behalf of the exiled Bishops of Hadjin and Arabgir. In May last the cases of the Archbishops of Marash and Zeitoun were brought before the Grand Vizier by Her Majesty's Embassy with a view to obtain some mitigation of their sentences. The reply

was that they had been properly convicted and merited their sentences. It is, unfortunately, the case that many Armenian prisoners are still awaiting trial, and that the efforts of Her Majesty's Representatives in Turkey to hasten their trial have not been successful, but Her Majesty's Government have never undertaken to ask for their unconditional release. Her Majesty's Government do not consider it desirable to lay Papers relating to one phase only of the Armenian question, and they have frequently stated that a full publication of the correspondence would not be of advantage.

#### ARMY MEDICAL STAFF.

**MR. M'CARTAN** (Down, S.): I beg to ask the Secretary of State for War whether he is aware that officers of the Army Medical Staff having servants from the Medical Staff Corps are obliged to make up their departmental pay, about 15s. monthly, in addition to the sum laid down in the Queen's Regulations as applicable to officers of other corps; and if he will take steps to place the officers of the Army Medical Staff on an equality with other officers, regarding soldier servants?

**\*MR. CAMPBELL-BANNERMAN**: Officers of the Army Medical Staff are allowed the privilege of employing men of their own corps as servants, but they are not required to employ them, and may receive the same money allowance in lieu as is issuable to staff and other departmental officers. If they choose to employ a soldier of the Medical Staff Corps they have to make up to the man the corps pay, which is only issuable by the public when he is employed on corps duty. The same rule as to corps pay applies to officers of other departmental corps; and as there is some difficulty in providing soldier servants for regimental officers, it is not considered desirable to withdraw soldiers from their regiments to act as servants to officers of other corps or of departments.

#### WILLS IN THE WELSH LANGUAGE.

**MR. BRYN ROBERTS** (Carnarvonshire, Eifion): I beg to ask the Attorney General whether he is aware that the officials of the Probate Registry in the cases of original wills written in Welsh decline to furnish office copies of such

original wills when duly applied for upon a question arising as to the correctness of the translation filed at the Registry; whether on such a question arising it is permissible in construing a will written in Welsh to refer to the original; and whether he will take steps to secure an alteration of the Probate Registry so as to enable parties interested to obtain copies of original Welsh wills?

THE ATTORNEY GENERAL (Sir J. RIGBY, Forfar): The original of a will in Welsh can always be seen at the Registry in which a translation has been proved. If a copy of a Welsh will, a translation of which has been proved in the principal Registry, were required the party requiring it would be permitted to copy it himself, or to send a competent person to take a copy. An office copy under seal of the Court of an original will in Welsh would not be given, because probate is not granted of such original will, but of the translation which is attached to the original. No difficulty has been occasioned in practice; applications of the sort are extremely rare. With reference to the question whether it is permissible, in construing a will written in Welsh, to refer to the original, I think there is some little doubt on the matter, but the better course would be to bring the question of translation before the Probate Court, and if necessary have it corrected there. I have no jurisdiction whatsoever to procure any alteration of the practice of the Probate Registry on any point, and I cannot undertake therefore to take such steps as are suggested in the question.

### MOTION.

#### BUSINESS OF THE HOUSE (PROCEDURE ON THE EVICTED TENANTS (IRELAND) ARBITRATION BILL.)

##### RESOLUTION.

THE CHANCELLOR OF THE EXCHEQUER (Sir W. HARCOURT, Derby): In submitting to the House the Resolution of which I have given notice, I am extremely desirous to avoid any language which may give offence to any person or to any Party in the House. In making this Motion I would rather rely on what I believe to be the sense of the great majority of this House—I had almost

said the unanimous feeling of the House—as to the necessity of such a Motion. We, at least on these Benches, regard this measure of the Evicted Tenants Bill as one of urgent necessity, as an administrative measure conducing to peace and goodwill in Ireland. The time we have proposed in this Resolution to allot to this discussion, we believe, if fairly employed, is adequate and ample to dispose of the debatable questions which this measure certainly involves. I confess, speaking for myself, that I am not enamoured of these exceptional measures, and I resort to them with a sincere regret. But if I am asked for a justification of this Motion, I would refer to the Order Book of the House of Commons. I would beg leave to alter a celebrated inscription, and say, "*Si argumentum quaeris, inspice.*" Those who look at the number of Amendments to the Bill, which, I think, cover 22 or 23 pages, will realise that they are a sufficient argument in this case. In my opinion, these 22 or 23 pages of Amendments are not an index of what is requisite for the reasonable discussion of such a measure as this, or fair Debate upon the question it involves. I will not go into an analysis of these Amendments. Each man is capable of forming his own judgment of how far these Amendments are confined to raising reasonable issues upon the question. I may refer to what has already taken place. We have had two full days of Debate, and I doubt whether we have accomplished two lines of the Bill. I do not know if this is intended to indicate a similar rate of progress on the Bill. If that is so, what is the prospect of the future? If any reasonable expectation were held out that fair limits would be placed on the discussion of this Bill I should not make this Motion. I am sincerely desirous of avoiding giving more offence than is necessary in this matter, and, therefore, without using any words which are calculated to cause irritation, I submit this Motion to the judgment of the House.

Motion made, and Question proposed,

"That the proceedings in Committee and on Report, and on the Resolution relating to Guarantees and Expenses, on the Evicted Tenants (Ireland) Arbitration Bill, unless previously disposed of, shall be brought to a conclusion at the times and in the manner hereinafter mentioned:—

- (a) The proceedings in Committee on Clause 1, at Eleven p.m. on Thursday, 2nd August ;
- (b) The proceedings in Committee on the Money Resolution, and on Clauses 2 and 3, at Eleven p.m. on Friday, 3rd August ;
- (c) The proceedings on Report of the Money Resolution, and in Committee on Clauses 4 and 5, at Eleven p.m. on Monday, 6th August ;
- (d) The proceedings in Committee on the remaining Clauses, new Government Clauses, Schedules, and new Government Schedules (if any) at Eleven p.m. on Tuesday, 7th August ;
- (e) That the Consideration of the Report be appointed for Thursday, 9th August, and, if not previously disposed of, the proceedings thereon be concluded at Eleven p.m. on that day.

At the said appointed times the Speaker or Chairman shall put forthwith the Question or Questions on any Amendment or Motion already proposed from the Chair, and shall next proceed successively to put forthwith the Question on any Amendments moved by the Government, of which Notice has been given (but no other Amendments), and on every other Question necessary to dispose of the allotted business. In the case of new Clauses and Schedules he shall put only the Question, That such Clause or Schedule be added to the Bill. Until the conclusion of the Committee, as soon as such allotted business has been disposed of, the Chairman shall report Progress, and at the conclusion he shall report the Bill to the House. The Question on the Motion appointing the next consideration of the Bill shall be put forthwith.

Proceedings under this Order shall not be interrupted under the provisions of any Standing Order relating to the sittings of the House.

After the passing of this Order no dilatory Motion on the Bill, nor under Standing Order 17, nor Motion to postpone a Clause, shall be received, unless moved by a Minister in charge of the Bill, and the question on any such Motion shall be put forthwith."—(*The Chancellor of the Exchequer.*)

**MR. A. J. BALFOUR** (Manchester, E.): Mr. Speaker, the right hon. Gentleman the Leader of the House has told us that he moves the Motion you have just read from the Chair with a great feeling of reluctance, and nobody who heard what I suppose he would describe as a defence of the proceeding, which has just come from him, can doubt the absolute sincerity of the avowal. Never in the history of Parliament has a proposal like this been made ; never in the history of Parliament has it been suggested after two days' Debate in Committee, and two days only, that our further proceedings should be gagged ; and yet the Minister who is capable of making this proposal

thinks it enough to come down to this House and express in a few perfunctory words his regret at the proceedings he has adopted, but neither by argument nor in any other way to offer the slightest defence of his course. Sir, perhaps I do the right hon. Gentleman an injustice. He said one thing that bears some shadowy resemblance to an argument. And what was it ? That when he took up the Order Paper he saw a large number of Amendments down to the Bill. he proposes to gag. Was ever such a reason given before in this House for such a proceeding ? Because the House on the face of the Order Paper shows that a desire exists to discuss this Bill that therefore the discussion of the Bill is to be stopped ; and because Members of the House, in the exercise of their undoubted rights, have suggested alterations in the proposal of the Government ; therefore, on that account, no Amendments are to be discussed at all. I do not know whether the right hon. Gentleman imagines he improved his case by giving us that solitary specimen argument in favour of it, because it appears to me that the condemnation of the course he asks us to pursue could not be stated more clearly than in the arguments advanced in its favour by the Leader of the House. I shall not be long in laying my case before the House, although I shall take a little longer to do so than the right hon. Gentleman did, for I have something which I, at all events, think substantial to say in defence of the policy which I earnestly press on the House on the present momentous occasion. I do not wish to put the rights of individual Members or even the rights of a minority too high. I admit that there may be grave crises in the history of the country, practical necessities which have to be got over, which might justify or even, under certain circumstances, compel this House to suspend the rights which for centuries have guarded liberty of Debate. But is this case one of those cases ? Is there some practical menacing necessity overhanging us which must be dealt with, which, if not dealt with, will imperil our whole social system or the public external security of this Empire ? We have been told, of course, by those who have defended this Bill, that it means to deal with a great social crisis in Ireland. I

should not be in Order were I to discuss the magnitude of that crisis or how far this Bill is calculated to meet it; but I am strictly in Order when I remind the House that this social crisis, if it exists at all, has existed for the whole of the two years during which the Government have been in Office, and it was not until the last week in July of this year that they made the slightest endeavour to deal with it. Do not let them tell us—I do not think they will have the courage—that the business on which they have occupied us was of a kind so pressing that a great practical measure would be left undealt with while other measures were being passed. We have too fresh in our recollection the abortive discussions upon their Registration Bill, their Welsh Church Bill, and other measures never intended by their authors to get through the House in the course of the present Session, to leave us in any doubt whatever that if the Government really felt the existence of the kind of necessity which alone would justify such a measure they, as responsible for the executive government of the country, would have brought forward the Bill, not at the end of July, 1894, but early in 1893. Perhaps it may be said even by those who, in the face of what has occurred during the last few years, have given up the argument of imminent public necessity, that this is a measure so clearly just on the face of it that it is absurd for any minority in the House to exercise even the most moderate discussion upon it. Well, Sir, I could not deal with that contention, if seriously made from any quarter of the House, without trespassing on the indulgence of the House more than is desirable and without going into the merits of the Bill, which I wish to leave as much as possible on one side. But let the House recollect that into the merits of the Bill as it stands there never has been any inquiry at all. We are sometimes told that the Bill has been based on the recommendations of the Mathew Commission. In the first place, the Mathew Commission itself was a gagged Commission. In the second place, the Mathew Commission did not examine into things which by the terms of the Reference they were required to do; and, in the third place, this Bill going beyond the terms of the Reference to the Commission. In these

three respects, at least, this Bill is before us not based on any examination by a Commission, partial or impartial, not resting upon any knowledge of facts of which the House has cognizance. It is thrown down at this late stage of our proceedings on the responsibility of the Secretary for Ireland, and no other, and we are to be deprived of any opportunity of finding out on what he bases his justification of a measure which we are asked to pass through the Committee stage within the space of seven days from the time the Committee commenced a Bill which covers matters which have afforded this House for the last 14 years subjects of unending controversy. The Chancellor of the Exchequer, in the brief observations he thought sufficient for the occasion, did not tell us what exactly his proposal was with regard to the time we were to spend in Committee. Seven days from the time of our proceedings in Committee is the time the Government have allotted. The time actually taken up, not in Committee of the House, but in the Scotch Grand Committee, in discussing a non-controversial Bill has been 17 days. [*Cries of "How many hours?"*] Perhaps hon. Gentlemen will allow me to pursue my argument in my own way. These 17 days were not full Parliamentary days. [*Ministerial cheers.*] Of course not. During part of our proceedings we sat from 12 to 3, and during the other part of our proceedings the sittings were extended till 4 o'clock. Recollect that if you are going to put that on one side of the account you must put a great many other things on the other side of the account. The discussion occurred in a Grand Committee composed not of 670 gentlemen, but of about 70. One-tenth of the House only was engaged in that discussion. In the second place, the Scottish Local Government Bill passed the Second Reading without a Division, and almost without Debate. It is admittedly non-controversial, and it is framed strictly upon the lines of its sister English measure, which has already received full discussion and consideration by this House. Compare that with this Bill. This Bill, of course, is not so long, but it raises, and legitimately raises, almost every question which has ever been debated among the innumerable questions that have ever



been debated between the two sides of the House on the subject of Irish land. The whole turbulent and melancholy history of Ireland from 1879 down to the present time comes naturally and necessarily within the scope of discussion. The "No Rent" conspiracy of 1882, the "Plan of Campaign" conspiracy of 1886, every incident of the land war in Ireland, the whole subject of evictions and land tenure—all these things rise directly before us, and cannot be avoided if we are to do our duty in discussing this measure, and yet you ask us, who have spent week after week, and weary night after weary night, in discussing Land Bills proposed by gentlemen opposite or proposed by us, to hurry through this Bill in the space of seven days, and send it up to the House of Lords undiscussed, undealt with, and unconsidered. I do not pretend that the personal sacrifice entailed by this proposal of the Government is very great. We have been 18 months continuously at work on your legislative business, and everything that comes in the shape of a promise of some release from this intolerable burden must be welcomed by the weakness of the flesh. What we are sacrificing is, however, something more important than our personal ease and our personal convenience—it is the tradition of the House of Commons. It is this: that in return for the Leadership of the right hon. Gentleman—the not very zealous Leadership of the right hon. Gentleman—you are asked to give. And what is it we are expected to get in return? Who are the dupes of this proceeding of the Government? Not the English Members who reluctantly support the Government on a Bill which they but half approve; not the Irish Members, who know perfectly well that the Government in the course they are adopting, taken in connection with the course they have adopted, make the fate of this Bill almost certain when it reaches another place.

SIR W. HARCOURT: Hear, hear! We were told that before.

MR. A. J. BALFOUR: Whom by?

SIR W. HARCOURT: By the hon. and gallant Gentleman (Colonel Saunderson) behind you.

MR. A. J. BALFOUR: My hon. and gallant Friend may have expressed that opinion on the Second Reading, and he

may speak with as much authority as I do, but my opinion is that it is by proceedings of this kind that you make the fate that is awaiting this Bill absolutely certain and inevitable. And why? You have been endeavouring to make it plain to all men that you will not accept Amendments from "another place." You have sacrificed one Bill altogether which you professed to attach, and perhaps did attach, great importance to, because you would not accept any Amendments. On another Bill you rejected many Amendments, but it was nevertheless passed into law, but under the circumstances you cannot expect the House of Lords to correct your errors or to make any great effort towards the end of August to turn your Bills into sense. If you send up this Bill unamended and undiscussed, as you propose to send it up to the Lords, and if you make it clear for the Lords to amend it and improve it is but to waste their time and our time, may I ask what fate can you possibly expect for your measure? I do not know whether the right hon. Gentleman in taking all this trouble to send up a Bill only to be rejected is doing so with the view of getting up a cry against the House of Lords. If so, I cannot congratulate him upon the particular methods he is using for attaining that desirable result. If you neither wish to get up a cry against the House of Lords nor expect to pass your Bill into law, what is it you do expect? What, in other words, is it that you expect to get in exchange for the sacrifice of our dignity and our honour? I will tell you. You expect to get the votes of the Irish Members now and hereafter, and the Irish Members expect to be able to go to their constituents and say they did their best to obtain £250,000 of public money for the evicted tenants of Ireland to eke out the Paris Funds, but the wicked House of Lords would not let them have it. The only dupes of your proceedings are the Irish public who return the Members below the Gangway to the House of Commons. Those Members know perfectly well that they are doing nothing for their clients in Ireland. They know perfectly well the promises which they and their English followers have lavished upon their "Plan of Campaign" dupes in Ireland are further from fulfilment than

*Mr. A. J. Balfour*



ever owing to the very proceeding you are now forcing down our throats. Knowing that, I wonder if they think that the Irish peasant is so simple-minded a person that he will give thanks and gratitude to them for undertaking a task which by the very method in which they have gone about performing it must necessarily end in emptiness and vanity. In my judgment the course which we ought to pursue as to the methods you mean to associate with this proceeding is perfectly clear. Indulge in this petty and sordid trafficking for votes if you like, but do not ask us to help you. Make the honour and the dignity and the traditions of this House the counters in the sorry game you are playing for Irish support, but do not ask us to take a hand.

MR. MAC NEILL (Donegal, S.) : We will not ask you.

MR. A. J. BALFOUR : For my part, Sir, now that I am no longer to be permitted to perform those duties with which I was entrusted by my constituents, I shall not disturb the harmony which I suppose will henceforth reign between those Benches and these. I feel no natural aptitude and no acquired inclination to act a part in this farce. My duty, as far as the Committee and Report stages of this Bill are concerned, will be sufficiently fulfilled if I warn, as I most solemnly do—and I can assure the House with the deepest feeling of responsibility for what I say—that this kind of proceeding must inevitably end in our abasement as a great public legislative Assembly in the eyes of our countrymen. Do not suppose that it is necessary or even a common consequence of the democratic form of government that the Assembly which represents the democracy stands high in the opinion of that democracy. We know of plenty of cases to the contrary. Hitherto this House has, at all events, through the continuity of its great traditions held itself high among the Assemblies of the world, and has been able to point back to its history without any feeling of shame or self-abasement. But carry on the procedure which the Chancellor of the Exchequer recommends, and see how long that feeling is likely to last. It will be a melancholy reflection if, from less than a decade after popular rights were extended to the whole community—from seven or eight years after the passing of the last great Reform Bill

—historians should date the decadence of this Assembly, and should point as its great signs and its great causes to such unhappy Resolutions as that which the Chancellor of the Exchequer is now proposing. At all events, Sir, we will be no parties to that process, which we regret, and in order that our opinion may remain on record in the Journals of the House I shall conclude what I have to say by moving an Amendment to the Motion of the Chancellor of the Exchequer which embodies our regrets and our condemnation. I shall move that all the words be omitted after the word "That," in order to insert these words :—

"But this House regrets that Her Majesty's Government, having thought fit to urge upon the attention of a Parliament exhausted by 18 months' continuous Session a measure violent and novel in its character, based upon no adequate inquiry, and involving the most controverted problems connected with the agrarian question in Ireland, should endeavour to pass it through its various stages by methods which deprive the minority of their just rights, make fair discussion impossible, and are calculated to bring the proceedings of this House into deserved contempt."

Amendment proposed, to leave out from the word "That," to the end of the Question, in order to add the words—

"This House regrets that Her Majesty's Government, having thought fit to urge upon the attention of a Parliament exhausted by 18 months' continuous Session a measure violent and novel in its character, based upon no adequate inquiry, and involving the most controverted problems connected with the agrarian question in Ireland, should endeavour to pass it through its various stages by methods which deprive the minority of their just rights, make fair discussion impossible, and are calculated to bring the proceedings of this House into deserved contempt."—(Mr. A. J. Balfour.)

Question proposed, "That the words proposed to be left out stand part of the Question."

THE CHIEF SECRETARY FOR IRELAND (MR. J. MORLEY, Newcastle-upon-Tyne) : The right hon. Gentleman who has just moved this Amendment wound up with a very eloquently-worded description of the traditions of this House, of the dignity and honour of this House, and of the duty which is incumbent upon all of us to preserve the dignity of this House unimpaired. Who is the right hon. Gentleman who uses that language as to this particular Motion? It is the ex-Minister who not many years ago moved, or was a party to the moving of,

a similar proposal to that which we now make. And on what ground and on what occasion? Was it an occasion which, as he said, menaced the security of the Empire?

MR. A. J. BALFOUR: Yes.

MR. J. MORLEY: The right hon. Gentleman does not understand what I am referring to. I am referring to the Bill constituting the Parnell Commission.

MR. A. J. BALFOUR: A Bill to the Second Reading of which the right hon. Gentleman assented.

MR. J. MORLEY: That is not the question. Did not the right hon. Gentleman assent to the Second Reading of this Bill?

MR. A. J. BALFOUR: No.

MR. J. MORLEY: Well, you cannot get over this: that on the Bill constituting the Parnell Commission a similar measure of Closure was resorted to. I ask the right hon. Gentleman again, Will he contend that that was an occasion menacing the security of the Empire or making pardonable the abandonment of the sacred traditions and the dignity and honour of this House? Will he contend that the importance of the Parnell Commission, as far as it affected the peace of Ireland, was comparable with the Bill which I have now had the honour of producing to the House? The right hon. Gentleman talked of the Scottish Local Government Bill. I think there never was a more absurd and preposterous parallel. The Scottish Local Government Bill, it is quite true, occupied 17 days in the Grand Committee, but those days altogether amounted, I am told, only to something like 60 hours, or something less than eight Parliamentary days. What are we going to give for the Committee on this Bill? We are going to give seven Parliamentary days for the Committee. And what a difference between the Bills! This Bill contains five operative clauses, eight clauses in all, and the Scotch Local Government Bill contained 69 clauses. It is quite true that the Bill may be made to contain a vast multitude of clauses if you will set Irish lawyers to work to exercise their ingenuity in framing Amendments which will introduce clauses or at all events multiply Divisions upon them. But the real basis of the argument of the right hon. Gentleman was that in framing legislation our

eyes are to be directed to what will be done in another place; that was his main and substantial argument. ["No, no!"] It was that we are to frame measures in this House to suit gentlemen in another place. The right hon. Gentleman indicated that the attitude of another place must be the governing consideration. ["No, no!"] If it was not why did the right hon. Gentleman introduce the reference to another place at all? The right hon. Gentleman said we needed another place to correct our errors—the wisdom of another place to turn our Bill into sense. All this is said, I suppose, on behalf of the honour and dignity of the House of Commons.

MR. A. J. BALFOUR: Such dignity as you leave to the House of Commons by this proposal.

MR. J. MORLEY: The more gentlemen in another place contest our dignity in the way in which we are now menaced with having it tested the more shall I, for one, rejoice. The right hon. Gentleman taunted us with being English followers of Irish leaders—

MR. JESSE COLLINGS: Hear, hear!

MR. J. MORLEY: And my right hon. Friend the Member for Bordesley approves of that description. Why, it is notorious, as I pointed out in a remark I made on the Second Reading, that the right hon. Gentleman himself and the Gentlemen who sit around the right hon. Member for Bordesley—they are English followers of Irish leaders—have most improvidently surrendered themselves, fast bound, to what I must call the irreconcilable section of Irish landlords. It is for that reason we are driven by their action to the Motion made by the Leader of the House. The Leader of the Opposition talks of hurrying this Bill through. I submit that 12 days for a Bill of this character is ample. There is no Legislative Assembly in the world, having such a Bill before it, that would not think 12 days far more than is necessary. The right hon. Gentleman said I had not taken the trouble to make out any case for the Bill. I have not taken any great trouble to show the necessity for it; why? Because the necessity of the case has been admitted from every quarter of the House.

MR. CARSON: Not the necessity for the compulsory clauses.

*Mr. J. Morley*

MR. J. MORLEY : That is not the point.

MR. CARSON : That is the whole point of the Bill.

MR. J. MORLEY : The point of the right hon. Gentleman was that there was no urgency in this case, that I had made out no case for urgency, that there was no necessity in this case. I repeat that from every quarter of the House, and not the least emphatically from the Bench on which the right hon. Gentleman himself sits, and certainly from the Bench behind him, there was full recognition that there was a case which required to be met, that the sooner it was met the better for the peace of Ireland. The right hon. Gentleman who was my predecessor in the Office of Chief Secretary admitted three or four times that there was a condition of things in Ireland in this matter of the tenants which needed to be dealt with.

MR. JACKSON (Leeds, N.) : I never admitted the urgency.

MR. J. MORLEY : He admitted the case; and, if it was urgent enough to justify the Government of the day proposing the clauses in the Act of 1891, how can it be said that there is not the same necessity three years later? The hon. and gallant Member for Down admitted the difficulty of the situation, and that there was a case to be met, though he was certainly no friend to the policy of Her Majesty's Government and he did not like the particular plan of the Bill; even he, coming from a North of Ireland constituency, was obliged to admit that he desired to see the case dealt with. Then the hon. Member for Dover (Mr. Wyndham), whose authority on Irish questions is not inconsiderable, and whose Irish experience is not inconsiderable, admitted that there was a difficulty to be met. The right hon. Member for West Birmingham (Mr. J. Chamberlain) did not deny that there was a difficulty to be solved and a case to be met, and he did not conceal his desire to find some means of meeting the difficulty and solving the problem. The hon. Member for South Tyrone (Mr. T. W. Russell), although I cannot reconcile the vote he gave with what he said, expressed the same view. I hope the right hon. Member for Bodmin (Mr. Courtney) will tell us he takes the same view of the urgency of the Bill which he did on

the First Reading. The existence of the case is not denied; the plan is no doubt open to criticism, and we give you ample time for it. Seven days in Committee for a Bill of this kind is an ample allowance. Whatever may happen to this Bill in another place, we at least—and I particularly, as the Minister responsible for the peace and order of Ireland—shall have done our duty in bringing this Bill in and in doing our very best to pass it through Parliament.

MR. J. CHAMBERLAIN (Birmingham, W.) : I cannot congratulate my right hon. Friend on his interference at this stage in defence of the proposal which was introduced to this House in a magnificent and memorable oration by the Chancellor of the Exchequer. The Chancellor of the Exchequer had an excuse for his brevity. He said he desired to be conciliatory, but my right hon. Friend has no similar excuse for his length; and even with regard to the Chancellor of the Exchequer, I think we may point out that when you propose to knock a man down with a poker there is not any necessity for a lengthened description of what you are about to do. Now, what was it the Chief Secretary added to this Debate? He, in the first place, indulges, as usual on these occasions, in the *tu quoque* argument, appealing to the fact that in past times similar Motions, as he says, have been made. But not on similar occasions. The Chief Secretary omitted to notice what my right hon. Friend the Leader of the Opposition said in his opening remarks—namely, that he, for one, did not preclude himself from recognising the necessity for some such Motion on occasions of great national crises or of importance to the dignity of this House. What was the occasion to which the Chief Secretary referred? It was the case of the Parnell Commission, which was brought in with the full assent of the House, which was supported on Second Reading by both sides of the House, and which was only obstructed in the most daring and deliberate way at a late stage of the proceedings by a small knot of Irish Members. I say undoubtedly that if this House is to preserve its character at all it must always reserve to itself the right of interfering when a very small minority attempts such an abuse of the power given to it by the Rules of the

House. I never should stand up to say that a Resolution of this kind might not be a necessity, and, as is well known, I have advocated such a change in the Regulations of the House as would give it greater power over its proceedings; but I have never advocated that that power should be given into the hands of the Government of the day, representing only a small majority in this House, whom, by your proceedings, you make absolute masters of its business. The issue now is something quite different from the issue raised either in regard to the Parnell Commission or in regard to a previous discussion on a Coercion Bill. The Chief Secretary talks about this Bill as being a short Bill, and gives that as a reason why there should only be a short discussion upon it; but let me remind him that the importance of a Bill has no relation whatever to its length, and the very Coercion Bill to which he referred was a shorter Bill than the Evicted Tenants Bill, and yet it occupied a much longer time than is proposed to be given to the discussion of this Bill. The Chief Secretary tries to divert attention by saying that the Leader of the Opposition has appealed to the House of Lords. No, Sir; that was not what my right hon. Friend did in his speech. What he did was to point out to you who are desiring, as is notorious, to pick a quarrel with the House of Lords, that by your action you are justifying any proceeding which that House may be pleased to take in regard to this Bill. I do not presume to offer an opinion as to what the House of Lords may do with this Bill; but there is one thing I am justified in expressing an opinion on, and that is this: that there is nothing they can do which will do them or the Unionist Party the slightest harm in the country after the action which you have taken. Now, Sir, what is the pretence of the Government? The pretence is that there is an urgent necessity—not an urgent necessity for this Bill—that is not the point. They have to show that there is an urgent necessity for this stringent form of Closure. What reason have you to say that it is absolutely necessary that the discussion in Committee on this Bill must be closed in seven days? You have only allowed us to go on for two days, and yet before you know what may happen upon the subsequent stages of the Bill,

and without regard to the fact, which is of common notoriety, that the later stages of a Bill always proceed with much greater rapidity than the first and operative clauses—in spite of that you propose, after two days' discussion, to limit us to seven days. What is the urgent necessity? The urgent necessity is the holiday of the Chancellor of the Exchequer. It is simply in order that his holiday and the holiday of his friends may not be shortened that we are called upon now, almost before we have entered upon the discussion, to Closure it in seven days. "But, oh!" says the Chancellor of the Exchequer, "look at the long list of Amendments." He will not say, because he wishes to be conciliatory, whether these Amendments are fair and reasonable. You can only judge of the Amendments still to be discussed by the Amendments which have been discussed. Now, what is the object of discussion in this House? I venture to say there are two objects. The first is in order that our constituents and the people of the country may thoroughly understand what is the nature of the legislation we are discussing. Do you pretend that they understood the nature of this legislation when it was brought into the House? Do you deny that the two days we have already spent upon the discussion has thrown a flood of light upon this Bill? Why, you cannot do it. I do not know whether the Chancellor of the Exchequer has been present during any large portion of our Debates; but, if not, I will tell him that in the course of these Debates we have proved that the Government have brought in an irregular and disorderly Bill. We have proved by the statement of the Chairman of Committees himself that this Bill is not in accordance with its title, and that its irregularity is such that if attention had been called to it on Second Reading the Bill would have had to be withdrawn. Do not let the Chancellor of the Exchequer imagine, in his ignorance of the nature of this Bill, that this is a technical point. It is not so at all. The Chief Secretary has been shown, in letters to the friends of this Bill, to have declared his intention, in bringing it in, of confining it to a certain class of tenants, and above all to tenants residing in Ireland. It is proved that, in spite of the title and the declared intention, the Bill is not confined to tenants

of that class, but will include within its ambit tenants of quite a different class and persons who are not tenants at all. If you want a justification of the discussion as far as it has gone you have it clearly in the fact we have shown that the Government themselves did not know what was the nature of their own Bill, and that it was a much wider and more important Bill than the country could possibly have conceived from its title and description. That is not the only thing we have shown. We have brought out what was confirmed by an answer to a question to-day, that the Chief Secretary has been utterly in the dark in making estimates for the Bill. In the first instance, he proposed to deal with a sum of £100,000. He has had to admit that it is altogether insufficient. [*Cries of "Order!"*] I am in Order. I am showing the value of the discussion to which we have subjected this Bill, and I say that the Chief Secretary, having in the first instance proposed £100,000, and having then submitted a proposal for an increased sum of £250,000, now finds that the calculations upon which he estimated that sum are altogether wrong, and that the total amount of rent to be dealt with is enormously greater than he himself imagined. I say, then, that if our first object in discussions in this House is that our constituents may at least know what is the nature of the legislation proposed, we have amply justified our proceedings. But there is another object which is of even greater importance, and that is that by discussion, not always hostile, especially in reference to a Bill of this kind—as to which the Chief Secretary has said there has been from the first some agreement, at all events, as to the conditions which have given it birth—we improve a Bill, brought in by whatsoever Government, and to secure that the object it is intended to obtain shall be arrived at. It is quite true that I cannot prove to the House that we have hitherto been permitted to make many Amendments. Not one single Amendment suggested has yet been accepted by the Government. But I do say that at the time this monstrous proposal was made to us we were apparently on the eve of what might have been a most important settlement. What is the use of the Chief Secretary getting up, as he has done,

again and again, and appealing to me and to my friends around me and saying, "You are seriously anxious to arrive at a settlement of this Bill," when at the very moment we were working for this settlement, and when this settlement was apparently within reach, we are met by a blow in the face such as this Resolution is, and in view of which it is absolutely impossible to continue any amicable negotiation whatsoever? I say that a settlement seemed to me, and I believe it seemed to others, to have been possible. What was the state of the case? On Friday night, when this most useful and valuable discussion closed, it had brought out the willingness of the Leader of the Opposition to agree to a measure which would, at all events, have dealt with the vast majority of hard cases of evicted tenants, provided this measure were voluntary. It had brought from the Chief Secretary himself a confession that, as far as he was concerned, rather than that the Session should be barren of legislation, he would agree to a transformation of his Bill—

MR. J. MORLEY: I said it was a great pity, and that if the same spirit had been shown, some transformation of the Bill might have been effected, but that spirit had not been shown.

MR. J. CHAMBERLAIN: But why? Can anything be more ridiculous, more petty in spirit, than the statement just made by the Chief Secretary? He says that when there was a spirit in the House tending towards agreement, his view was that that spirit could not be accepted, and that no agreement could be come to, because, at some previous time, there had been a different spirit. I am sure the better sense of my right hon. Friend will never stand to such a statement as that. I go on therefore to say that on Friday night the Chief Secretary stated that if a good spirit prevailed, a transformation of his Bill might have taken place. [Mr. J. MORLEY: Perhaps.] I referred on Friday night to the speech of the hon. and learned Member for Louth, who, without binding himself strictly, said, in answer to the Leader of the Opposition, that he was prepared to adopt the principle of the Arrears Act, and I say—

MR. T. M. HEALY (Louth, N.): The right hon. Gentleman is mistaken. What occurred was this: I asked the



Opposition why it was they allowed the principle of compulsion to appear in the Act of 1882 without protest when they were now so strongly opposed to it.

**MR. A. J. BALFOUR:** As I have been referred to, I may say that that is not according to my recollection. I understood the hon. and learned Gentlemen distinctly to suggest, as a possible arrangement, the adoption of a clause like that in the Arrears Act, for he said, if you think the clause in the Arrears Act is not a compulsory clause, why do not you accept it in this Bill?

**MR. J. CHAMBERLAIN:** Of course, the hon. and learned Gentleman will express what his present opinion and intention are, but I confess I was extremely hopeful from what he said that we had, at all events, the foundation for an arrangement which would have united all sections in the House. If it had united all sections in the House, is there anybody who will tell me it would not have been an advantage to Ireland? It is the interests of Ireland, after all, that ought to be paramount in the mind of the Chief Secretary, and yet, when the Chief Secretary has the chance of carrying out a plan which would undoubtedly have given to the majority of Irish evicted tenants some opportunity of being reinstated upon the land, he refuses that opportunity, and he meets the opportunity of reconciliation with a Motion of this kind. He meets the conciliation, which he recognises we have been showing with a Motion of this kind, which makes it absolutely impossible that we should continue the discussion any further. I understand that my right hon. Friend the Leader of the Opposition has expressed his opinion that it would not be consistent with his dignity, in the circumstances in which we now find ourselves, to continue the discussion either upon the Committee stage or upon the Report stage. I entirely agree with him, and, so far as I am concerned, I shall certainly leave the discussion during these two stages entirely to the Government and the Irish Members. And I do so with this warning. It is perfectly evident that the Amendments which are down upon the Paper are not exclusively in the names of English Members. There are many Amendments of the greatest importance down in the name of Irish Members. Are the Government going

to accept these Amendments or are they going to reject them? If they are going to reject them they are going to do what they blame us for doing. They are going to pass Irish legislation in opposition to the views of those who claim a monopoly of the representation of Irish opinion, and they have been warned from the Irish Benches that any legislation of the kind will be futile, and will, as was said by an hon. Member opposite in the course of the Debate, be a guarantee for further agitation. If, on the other hand, they are going, under pressure, to accept the Amendments which will be proposed from the other side, then it will not be the Bill of the Government that we shall be asked to carry on the Report stage, but it will be a totally different Bill, going very far indeed beyond it, and not merely going beyond it, but inconsistent with the pledges that have been given over and over again by the Chief Secretary. That is a dilemma in which I do not envy the position of the Government, and in which I am perfectly content to leave them entirely alone.

**MR. LABOUCHERE (Northampton)** said, it seemed to him that the Chancellor of the Exchequer would do well to alter his Resolution. The House had received the joyful assurance from the Leader of the official Opposition and from the right hon. Member for West Birmingham that they and their supporters intended to take no part in the further discussion of the Bill. That was the best proof that could be given of the wisdom of the Chancellor of the Exchequer in moving his Resolution. What was the complaint of the Member for West Birmingham? The right hon. Gentleman never could get out of his mind the idea that, though he was in the minority, he ought still to dominate in the House. He complained that there had been no settlement by arrangement. But settlement by arrangement meant absolute surrender to the right hon. Gentleman. The right hon. Gentleman said it was the business of the Opposition to alter and amend the Bill; but surely he did not contend that every one of the 23 pages of Amendments would improve the Bill. He would suggest that if the right hon. Gentleman changed his mind, and wished to discuss the Bill, he should hold a committee of his friends for the purpose of choosing those Amendments

*Mr. T. M. Healy*



that would alter and amend the Bill, and confine the discussion to them. Everybody on the Opposition side really rejoiced at the proposal of the Chancellor of the Exchequer. The fact was they had had enough in these 18 months, and they all wanted to get away, hon. Members on the other side sharing this anxiety as much as they. He knew perfectly well it was usual on such an occasion to go through a certain amount of fireworks, but they all wanted to get away, and hon. Gentlemen opposite would be in despair if they were taken at their word when they said they were willing to remain for ever in order to discuss the Bill. Hon. Gentlemen opposite had a second line of defence in the House of Lords. They might enjoy their holiday, perfectly certain that so long as the House of Lords existed any Radical measure brought in by a Liberal Government would be thrown out. He would like to know what was the view of the right hon. Member for West Birmingham as to the veto of the House of Lords. In his former speeches the right hon. Gentleman certainly did not adopt an attitude of abject servility and admiration of the House of Lords. Did he justify them in throwing out this Bill?

**MR. J. CHAMBERLAIN:** I do not know whether they are going to.

**MR. LABOUCHERE:** Then I am afraid there is a split between the two Leaders of the Opposition. For my part I take the word of the Leader of the official Opposition, who said he was absolutely certain that the House of Lords would throw out the Bill.

**MR. A. J. BALFOUR:** The hon. Member puts words into my mouth which I never used. What I said was, that the course which the House has pursued in connection with this Resolution, and has pursued on previous occasions when the Lords have sent down Bills with Amendments, made it hardly open to doubt that they will be driven to reject the Bill.

**MR. LABOUCHERE** said, it seemed to him that he had fairly represented the right hon. Gentleman's statement. He was told that the actual words of the right hon. Gentleman were that the Lords would inevitably throw out this measure. He knew the right hon. Gentleman agreed with him. He supposed there was not any doubt that the

Lords would reject the Bill. He agreed with the right hon. Gentleman that it was really a waste of time on the part of the Liberals and Radicals who were sent to this House to support Liberal and Radical measures, to discuss and carry Bills through this House so long as they were thrown out by the House of Lords. He should like the Estimates passed and the Appropriation Bill brought in at once, for he did not see the use of discussing a Bill day after day, and week after week, when they were told by those who held the House of Lords in their pockets that that House would throw it out. It would be much better that they should as soon as possible appeal to the country as to whether the majority of the Representatives of the nation were to be masters of the situation, or whether they were to be the subservient, humble servants of hereditary legislators, Peers, and Bishops, who rendered it absolutely impossible for any Liberal Government whatsoever to give effect to the grounds on which they were placed in Office. That was the question which he wished to impress, not upon the Opposition, but upon the Government; and he hoped that they would have no more of this nonsense in future Sessions, but that they would as speedily as possible go for the abolition of the House of Lords.

**MR. COURTNEY** (Cornwall, Bodmin): I am afraid it is of very little use attempting to add any words to the discussion in which we are engaged, but I cannot help expressing my profound regret at the deplorable condition in which we are landed. I regret it on two grounds. I regret it, first, with regard to the condition of Ireland. I, at all events, have no doubt as to the profoundly important character of the subject dealt with by this Bill. I do not commit myself for one moment to the particular method which is adopted in the Bill, but that it is desirable, urgent, and necessary to deal in some way with the crowd of evicted tenants who are found in a landless and workless condition near the places where they once dwelt and worked as tenants is in my mind an abiding conviction. I learned it from the right hon. Gentleman opposite, when he was conducting his Bill through the House in 1891, when he was in touch with Irish affairs, and

knew exactly the conditions of life in the West of Ireland, when reports came to him daily and almost hourly as to the relations between the guardians of order and this ragged regiment. And what did he do? He did not want seven days; he did not want seven hours to agree to a clause in his Bill affirming the expediency and the Imperial desirability of dealing with this question. It is quite true that he did not introduce the element of compulsion, but that has nothing in the world to do with the argument now submitted as to the importance of dealing in some way or other with this phenomena in Ireland. Much might be said on that question, if it were proper at this stage in relation to this Motion to enter upon it. But I confess that it is difficult to take up the position of affirming that it is desirable, expedient, and reasonable that the credit of the State should be used and the procedure of the Court extended and made more elaborate in order to bring back tenants to their holdings, and that, at the same time, it is reasonable to allow an unreasonable landlord to object. The thing in itself is a thing we desire as a matter of Imperial policy. You may get half a dozen individuals—certainly not expressing the views of the majority of the Irish landlords—unreasonably preventing what you say is a reasonable solution, and you will not allow the interference of the State to prevent these plague spots being removed. In the interests of Ireland I am profoundly moved by the spectacle before us of the certain failure of the Bill. It is not necessary to mince words about it. The step you are taking to-night destroys the chance of the Bill being read or treated in any fashion in another place. There would have been difficulty in any case. There would have been some obstacles no doubt, but perhaps not absolutely insurmountable, elsewhere. But this is a difficult Bill to recommend to the limited English intelligence. They are not wholly acquainted with the condition of Ireland. They do not see the facts and circumstances which make the thing not only expedient and desirable, but moral and just, which to them appears to be immoral or wrong. There would have been great difficulty, no doubt, in inducing the other House to entertain and to return this Bill in a shape which might have been approved.

*Mr. Courtney*

But that is not possible now. To-night it has been made impossible, and who is responsible for it? Is it the impetuosity of the Government? Perhaps it is. But in order to consider that, I have to turn to the next subject which excites my feelings, and that is the condition and conduct of business in this House. To what are we coming? One precedent follows another and improves upon it. This Motion now before us goes further than any previous Motion. It embraces two series of Acts, the Committee as well as the Report stage in a single Resolution. Some Government in the future may possibly go better, and put three transactions into one Resolution, until we reach a certain Transatlantic condition in which a Bill is put upon the Table and ordered to be reported immediately. Here the same question arises, Who is responsible? There is a very ready trick of carrying back responsibility from one Government to its predecessors, and of pointing to the Parnell Commission and the Crimes Act. It needs must be that offences come, but woe to them through whom they come. From whom does the offence come that this Resolution and similar Resolutions have been proposed? Surely the original offence lies in those Members of the House who, disregarding the true use of its functions, and disregarding its high mission and purpose, abuse their powers so as to destroy what should be the right conduct of public business. One side to-day, another yesterday, and a third to-morrow. Shall we get any reform out of these moralities? Not, I think, until we get a sound conviction among the less responsible Members of the House of the mischief they are doing this great Assembly, and some conviction also on the part of Leaders, whether in or out of Office, to use their power to coerce the irresponsible friends behind them. We are in this situation, not only in respect to the Bill itself, but also as to the way it is conducted—that the true conduct has passed from those who know to the less informed as well as less responsible members and partisans. Whereas we had the evidence and testimony of people who had the conduct of the government of Ireland in their hands on one side, we have now on the other got a junta of irresponsible landlords putting their power on those who

ought to resist them. It is in them that the evil, the foolish motive, and the vainer thoughts lie—persons less calculated to deal with such exigencies in this House. Is it now too late? My right hon. Friend the Member for West Birmingham in the really valuable portion of his extraordinary clever speech said, "You have been too eager; on Friday night we were approaching something like a settlement out of which an agreement might have been come to. How can we go on in that manner when the reward of the temper we then showed is a slap in the face and a knock on the head which brings us to the ground?" If that was the temper on Friday night—and I note with great satisfaction the report that such temper was being developed—has the impetuosity of the Government been such as to prevent a return to that temper now? If that was my right hon. Friend's feeling of the judgment of the Leader of the Opposition, is it too late even now to say in that temper, "Withdraw this Closure Resolution and let us agree within a reasonable time that the proceedings on the remaining stages of the Bill shall stop." [Sir W. HARCOURT: "Hear, hear!"] If we were approaching a condition on Friday in which some settlement might have been arrived at, surely it should not be too late, if the Government will admit that they are ready to consider it, to come to a reasonable solution even yet. Then we may rescue out of this ruinous situation, not only the House of Commons, but also the Bill, and we may send it to the other House in the hope of seeing some settlement arrived at. I left out one of the elements of the picture when I was speaking of the position and degradation of the House. We are threatened with a further abdication of Debate and judgment, for, if this Resolution is passed, my right hon. Friend says he and his friends will have nothing to do with it. I hesitate to come to that line of action. Even in the last necessity something is due to ourselves and to the House of which we are Members, and the great traditions of which we are the inheritors. Even if but a limited time were allowed for the consideration of this Bill I would go on trying, even in that minimum of time, to improve it. I cannot think that we are furthering our own dignity, or showing ourselves

true Members of the House, by abdicating and refusing further to discuss this measure because the time is short. Perhaps what I say is like the voice of one crying in the wilderness and saying, "Peace, peace," where there is no peace. Yet I would even repeat what I have already said, if there is the temper which was shown on Friday night still present, something ought to be capable of being made of that temper. Some solution ought to be possible—something which would redeem this House from this worse than degradation, the saving for Ireland of a measure which would be the means of bringing peace and relief to that most distracted country.

SIR W. HARCOURT: My right hon. Friend the Member for Bodmin has made a speech which, I think, in the opinion of every man who heard it, was worthy of himself and of the House of Commons. I stated in the few remarks which I used in commencing this Debate that I have made this Motion with great reluctance, and only because I was convinced of its necessity. The right hon. Gentleman knows very well what reasons I had to be convinced of its necessity. I used these words, and I used them deliberately, in introducing the Motion. I said if any reasonable expectation were held out that fair limits would be placed on this discussion I should not make this Motion. I have sought, and sought eagerly, for some assurance that any such reasonable limits would be put on this discussion, and it was not until these hopes and these expectations were disappointed that I found myself compelled to make the Motion that I have made.

MR. A. J. BALFOUR: From whom did you seek it?

SIR W. HARCOURT: I am surprised that the right hon. Gentleman should ask that question.

MR. T. E. ELLIS: Hear, hear.

SIR W. HARCOURT: Sir, I repeat the words which I have used already, and I say now, if any reasonable expectation were held out that fair limits would be placed on this discussion I should not make this Motion. The right hon. Gentleman has threatened Parliamentary secession.

MR. A. J. BALFOUR: It is a good old Whig precedent.

SIR W. HARCOURT: But even Whig precedents are not always fortunate precedents. I remember Lord Beaconsfield saying that England does not love coalitions. The political history of this country and the verdict of posterity have not been favourable to Parliamentary secessions, which, in my opinion, mean nothing else but Parliamentary cowardice.

MR. J. CHAMBERLAIN: What about the Crimes Act?

SIR W. HARCOURT: The men who secede because they cannot have their own way, I agree with my right hon. Friend, are not doing their duty to the House or the country. In my opinion, at this moment if there was any prospect of this Bill being fairly dealt with and fairly discussed—

MR. A. J. BALFOUR: What do you mean by "fairly"?

SIR W. HARCOURT: The right hon. Gentleman knows what I mean by "fairly," and he knows also perfectly well, and the House and the country know perfectly well, that it never was intended by the Opposition from the commencement to deal fairly with the Bill. If that be not so, what was the meaning of the announcement made by the hon. and gallant Member for North Armagh when he moved the Amendment to which hon. Members opposite were obliged to submit? He said that the Bill was going to be rejected by the House of Lords. That announcement he placed at the very fore-front of his battle-speech. Did that announcement indicate that the Bill was going to be discussed here in a fair spirit? Sir, in conclusion, I repeat again that if we had any assurance whatever that there was a disposition to deal fairly by this Bill Her Majesty's Government would not stand in the way of such a settlement as the right hon. Member for Bodmin has recommended.

MR. GOSCHEN (St. George's, Hanover Square): I scarcely know in what tone to answer the right hon. Gentleman. At one time it seemed as if he was under the influence of the speech of the right hon. Member for Bodmin, and was prepared to extricate the House from the difficulty in which it finds itself, but before he sat down he brought into play the usual hostility of his partisan mind. [*Ministerial cries of "Oh, oh!"*] Yes, the right hon. Gentleman

could not sit down without having a fling at this side of the House and without throwing down a challenge, which, of course, makes it extremely difficult to entertain any of the right hon. Gentleman's suggestions. The right hon. Member for Bodmin spoke with a deep sense of the dignity of this House, and expressed a desire, which all must share, that our Debates should not be reduced to the position of discussions under the gag. [*Cheers and interruption.*] Well, under a time-table. Upon a Bill of this kind it would be a farce to endeavour to argue if a time limit is imposed. The right hon. Gentleman says that if we made fair proposals he would wish to meet them. But what does the right hon. Gentleman think is a fair proposal? We know he thinks that seven days are enough for this Bill. [*Ministerial cheers.*] Yes, but there are important issues raised by this Bill which cannot be discussed adequately in the time given by the right hon. Gentleman. [*Ministerial cries of "Oh!"*] Hon. Members opposite perhaps do not know to what extent the taxpayer is interested in this measure. We have not examined yet the question whether £250,000 will be enough. Hon. Members do not realise the risks that will be run under the Purchase Clauses. The right hon. Gentleman thinks this Bill can be disposed of in seven days. I remember what he thought could be done in seven days when we sat upon the Treasury Bench. Then even the smallest questions were argued for more days than the right hon. Gentleman proposes to allot to the whole of this important measure. This Motion has been made after two days' discussion of the Bill in Committee. That is an entire novelty. The right hon. Gentleman takes the Order Paper in his hand and says, "There are a great many Amendments here, and therefore I will limit the discussion; I will only give it seven days." I invite everyone who takes an interest in the Constitution of this country to mark this new principle, that notwithstanding a number of Amendments may be proposed the Minister of the day is to decide how many days are to be given for the discussion of a Bill. Is the same method to be applied to the Equalisation of Rates Bill? Are you going through your Order Paper and then fix your limit of two or three days? Are these to be

the conditions under which Parliament is to legislate in the future, and if not, why not? That is the precedent the Government is setting, and that is why my right hon. Friend opposite has spoken on the subject. I do not believe that a proposal like this has ever before been made by any responsible Government. I deeply deplore that the Chancellor of the Exchequer should have thought it necessary to set a precedent of this kind. Why has he done it? Was it, as my right hon. Friend the Member for West Birmingham said, in order to hasten the holidays? Are we to be subjected to this simply because the supporters of the Government are getting tired and think that the end of the Session ought to come? [*Ministerial cries of "No!"*] If not, then let them sit on. Let this gag be removed, and let us see whether in a regular discussion of this Bill we cannot make sufficient progress. Let the right hon. Gentleman not press this Motion if he believes that his English friends will sit on. The hon. Member for Northampton said that everybody would be glad of this Motion because it would enable hon. Members to take their holiday. I trust that there are many Members of this House to whom the precedents to be set in the House of Commons are of greater moment than their own personal convenience. This is an entire departure from all Parliamentary traditions, and I would ask the right hon. Gentleman to remove this Resolution from the Paper and let the discussion proceed. He will then see whether the length of it is such as to justify this application of the gag.

MR. A. J. BALFOUR: I rise to make a personal explanation. Some words fell from the Chancellor of the Exchequer which, I think, could only be interpreted by those who heard them in this way, that reasonable suggestions or offers were made to me and that I refused them. I desire to say that if such an impression is derived from the speech of the right hon. Gentleman that impression is not correct.

\*MR. RATHBONE (Carnarvonshire, Arfon) desired to make an appeal to the House in support of the admirable speech of the right hon. Member for Bodmin. Surely it was impossible for them after listening to such a speech to degrade themselves to the level of aspersions,

provocations, and recriminations. He did not wish to blame anyone. What he meant was that hon. Members should put strife aside and do the best they could for the poor creatures whom they all professed a desire to serve, who had been evicted from their homes, and who, as all had admitted, ought to be restored if possible. During the last 25 years every measure for the benefit of the Irish tenantry had been ineffective by the action of a few bad landlords. Time after time opportunities had been lost, because at the end of a Session Members would not take time to consider how to complete and carry out the necessary work. The Leader of the Irish people said that the Conservative Land Act, if the arrears question was settled, would be a message of peace to Ireland. The House should not repeat old errors, but should give this Bill sympathetic consideration. They all felt in their hearts that the question of evicted tenants ought to be settled, and they could settle it now if they would take the matter into their own hands and disregard the pressure exerted by a few extremists who would be themselves the first to regret, when they came out of the combat and arrived at a cooler state of mind, that they had not been compelled to do that which their own hearts would not have prompted them to do. What they all desired to do was to remedy the present condition of things in Ireland due to a few bad landlords, who had dealt unjustly and cruelly with their tenants. Let them, therefore, show themselves willing to make the required alteration in the law, and not forget the result of foolish action in the past. If the Leader of the Opposition would make a reasonable offer they would be prepared to listen to it. No one was better aware of that than himself. Let him remember the numerous cases in which he had made the same kind of mistake, and not lose an opportunity like this. If they failed to take advantage of it now, the speech of the right hon. Member for Bodmin would go out into the country in condemnation of the Leaders of the House, and in witness that they had failed to do what they ought—a failure which would be a disgrace to them.

COLONEL SAUNDERSON (Armagh, N.) said, that the right hon. Member for Bodmin had made one of those speeches



which were supposed to appeal to the better feelings of hon. Members sitting on all sides of the House, and which often elicited much cheering, but to him it appeared to be a one-sided speech. The right hon. Gentleman had so evenly balanced a mind that sometimes neither he nor his friends knew exactly what line the right hon. Gentleman was going to take, and on this occasion he did not think that the right hon. Gentleman had dealt with the subject under discussion with the distinctness which generally characterised his observations. The right hon. Gentleman had spoken of the "plague spot" in Ireland, and he thought that he had done something towards making that "plague spot" more visible. According to the right hon. Gentleman there was a plague spot in Ireland which this Bill was brought in to obliterate, and that was the conduct of what were termed the "irreconcilable landlords of Ireland," who were or should be deserving of condemnation. That was the sense in which his observations were received by his friends below the Gangway. The right hon. Gentleman had referred in the course of his speech to those unhappy tenants who were at present living in huts in view of their own homes. But who had put those tenants there? They were placed there, not by their landlords, but in consequence of being the dupes of the leaders of the Plan of Campaign. It was very easy to say that the Irish landlords were irreconcilable, and no doubt they were irreconcilably opposed to the principle of compulsion proposed to be adopted in this Bill. But it must be remembered that without that principle being contained in it the Bill would never for a moment have been accepted by hon. Members below the Gangway. The Opposition had put down many Amendments to the Bill, and during two days there had been an animated discussion in Committee; but there had been nothing on their part which savoured of what was called obstruction. The speeches on those Amendments had been remarkable for their brevity and also for their cogency, but the Opposition were in this difficulty—that they could not get the Government to meet their arguments, and probably the Government would not have answered them at all had it not been for the right

*Colonel Saunderson*

hon. Member for Birmingham putting on the last twist of the screw, which they could not resist. There had been no obstruction, and there was no justification for the proposal of the Government. The Chancellor of the Exchequer had said that there was a great necessity for this measure, but he did not tell them what constituted that necessity. Yes, there was a great necessity for this measure, but it was to be found not so much in Ireland as in the House of Commons. If the right hon. Gentlemen on the Treasury Bench had not brought in this Bill, they themselves would have become evicted tenants. They knew that as well as he did. Had the Government really meant the Bill to be passed into law, could it be conceived that they would have brought it in at the tail end of the Session? The Bill was full of contentious matter such as had never before been introduced into any measure that had been brought into that House. With regard to the probable action of the House of Lords in relation to this Bill, all he had done was to express his opinion that when the measure came before that body—which was not usually supposed to be affected with lunacy—it would receive at their hands, as it ought from any intelligent body of men, emphatic rejection. The Government had refused to accept any Amendments to the measure on the ground that if they accepted one it would only be made a peg upon which to hang others, and at length they had resorted to the argument, which they really could use with some prospect of success—they simply said, as they had said in regard to the Home Rule Bill, "Go and be gagged." That was the conciliatory spirit in which the right hon. Gentleman opposite dealt with his political opponents. As far as he was personally concerned, he did not think that it was fair for any man to accuse him or his friends or colleagues of being irreconcilable landlords. However much the landlords might oppose this Bill, they were justified in doing so, as they regarded it as an abominable injustice to 1,500 tenants, who under it would be—

\*MR. SPEAKER: Order, order! The hon. and gallant Gentleman is now going into matter which is outside of the Question before the House.



COLONEL SAUNDERSON said, he supposed that he might go so far as to say that he and his colleagues who were accused of being irreconcilable were only irreconcilable to an act of injustice, for they regarded this Bill as an act of injustice not only to themselves, but to the 1,500 Irish tenants who had never broken the law. Had the measure been framed on another principle and in a different spirit, and had the principle of compulsion been omitted, they would have given it a fair and candid hearing. There was another respect in which they were irreconcilable, and that was that they regarded the present proposal of the Government as a degradation of the House of Commons. What would be the position in future of any minority, however large it might be, if the House assented to this proposal of the Government? The Government whenever they pleased could cram down the throats of the minority any measure they pleased practically without argument, and all that the minority could do would be, as they did last year, to make peripatetic protests in the Lobby against the policy with which they disagreed. If the House of Lords threw out the Bill, their action would meet with the acclamation of 19 out of every 20 Radicals themselves in the country. They had heard vague threats of what would happen if the Bill met its deserved fate in another place. They all knew how these threats were fulfilled. Similar threats were made in connection with the Home Rule Bill, and now it was said that, if the House of Lords ventured to make use of the power which it was its special function to exercise, and to reject the Bill because they believed it, in their consciences, to be an unjust and an unrighteous measure, they would meet with the condemnation of the country. In his opinion, the House of Lords in such an event would have nothing to fear from the attacks of the right hon. Gentlemen opposite. He believed that the House of Commons was in far more danger of public condemnation than the House of Lords in this matter, and he ventured to say that, if the House of Commons cringed to the Government and accepted such a proposal as this, it would meet with that condemnation throughout the country which it would richly deserve. In accepting this proposal the House of Commons would be wiping out

of the flag which the Liberal Party, of all Parties, was the most proud to bear the two mottoes "Fairness of Discussion" and "Freedom of Debate."

MR. WHITBREAD (Bedford). said, before the effect of the right hon. Member for Bodmin's speech passed away at the moment he would say briefly that he could scarcely describe the pleasure and admiration with which he had listened to it, for it was one of the noblest efforts which it had been his lot to hear in the House of Commons. He saw no advantage in discussing then what was likely to be the fate of that Bill when it got into the House of Lords. All that they were concerned with was to make it the best Bill they could in the House of Commons, whatever might be its fate elsewhere. The right hon. Gentleman had made an appeal which, he thought, must have touched the Leader of the Opposition. The right hon. Gentleman had been followed by the Chancellor of the Exchequer, who in the most conciliatory tone made an offer to withdraw this Motion if there was any reasonable prospect that proper progress would be made with the Bill. That offer was as conciliatory as anything could be. He would not now stop to question some words which fell from the Chancellor of the Exchequer afterwards. The House of Commons and the Front Benches fortunately had not come to the condition that because of some slight war of words they were unable to exercise a calm and proper judgment upon a question of vast importance. He confessed that he always voted with pain for any form of Closure and never did so till he believed it to be necessary. He set the House of Commons and the interests of the House of Commons above the value of any Party. He thought that the appeal of the right hon. Gentleman the Member for Bodmin and the offer of the Chancellor of the Exchequer deserved from the Leader of the Opposition something more than the mere retort that no offer had been made to him. The Leader of the Opposition had the power, if he liked, to impress upon those Members who sat behind him the necessity for moderation in the discussion of this Bill. Nobody doubt<sup>ed</sup> at if the right hon. Gentleman cho<sup>se</sup> to exercise that power this Bill co<sup>uld</sup> Main Que<sup>stion</sup> not through in a reasonable

time. Upon whom would the charge of unreasonableness rest, if nothing came from the Front Opposition Bench but the offer of the right hon. Gentleman the Member for St. George's, Hanover Square, that if the Closure Resolution were withdrawn, the Government would see how long Members of the Opposition would be willing to sit on?

Mr. GOSCHEN: What offer?

Mr. WHITBREAD would make one more appeal to the Leader of the Opposition to use the power which he undoubtedly possessed to bring this matter to a conclusion, and bring about the withdrawal of the Closure. That was what they all really desired; but if the Leader of the Opposition would not use his power to bring that about, he and other Members on the Ministerial side of the House would support the Government to the full. But he and others on that side of the House earnestly desired that the Opposition should take a reasonable view of the situation, and see whether they could not give such pledges as would lead to an amicable solution of the present difficulty.

Mr. A. J. BALFOUR: I have no right, nor had I the slightest intention, to say another word; but the challenge of the hon. Gentleman, coupled with considerable blame for my previous silence, does seem to impose on me the necessity for saying, with the leave of the House, one or two words on what has passed. I got up, and, by way of personal explanation, attempted to do away with the idea which some persons might gather from what fell from the Chancellor of the Exchequer that reasonable proposals had been made to us, and that those reasonable proposals had been rejected. Nothing of that sort has occurred; and the Chancellor of the Exchequer will bear out what I say. Then, says the hon. Member for Bedford, an offer has been made to you across the floor of the House that this Motion would be withdrawn if an assurance were now given that the Bill would be proceeded with in a reasonable manner; and, apparently, it is to that challenge that I am asked to reply, and am reproached with not having replied to before. In the first place, I never gathered anything of the kind from the Chancellor of the Exchequer; and, in fact, his attention sometimes wanders a moment, and I may have misheard the right

thing; but I did not hear him offer to withdraw this Motion on that or any other condition. Did any other hon. Gentleman except the hon. Member for Bedford hear the Chancellor of the Exchequer make that offer? I do not think anybody did. It is evident, then, that I am right, and that no offer has been made, and it is all in the imagination of the hon. Member who has just sat down. Then, why am I reproached for refusing to reply to an offer that was never made at all, except in the imagination of the hon. Member? Under these circumstances, it is not necessary for me to say another word, nor do I see that another word can be appropriately said. The fact is that the Government, I presume, in the terms of this Resolution have told the House of Commons what they think is a reasonable time in which to discuss this Bill. To me it appears to be grossly and flagrantly unreasonable and unfair, and I do not think that it rests with the Leader of the Government, on the spur of the moment, or, indeed, at all, to lay down either in public or private the number of days that he thinks this discussion should last. As far as I understand the matter, should the Government think better of their present policy, there would be no desire on our part for unreasonable discussion on this Bill. But we cannot, in justice either to our constituents or to the traditions of this House, agree to fetter ourselves in the way that the hon. Gentleman opposite appears to suggest. [Mr. J. MORLEY: Hear, hear.] Nor do I augur from the cheer of the Chief Secretary for Ireland that any arrangement could be come to. I can only express, on behalf of myself and my friends, my deliberate intention, if this Motion is withdrawn, to discuss the Bill in a perfectly reasonable spirit; and I cannot agree with the right hon. Gentleman that I am abrogating any duty when I refuse to discuss this measure further under the conditions that he desires to impose on us. Nor do I think that we are guilty of all the errors that he now seeks to attribute to us. I hope that the hon. Gentleman who made the appeal to me will feel that no offer of the kind he indicated was made. I do not see that the initiative lies with the Opposition in this case, though I can repeat to him the assurance that neither I nor my friends have any desire that this Bill

*Mr. Whitbread*

shall be discussed at any unreasonable length or in an unreasonable spirit.

\***Mr. T. W. RUSSELL** (Tyrone, S.) said, that he did not think that the Chief Secretary would hold that on this question he was an "irreconcilable," and he certainly would not say he had ever denied the existence of a great evil which required to be met and dealt with. The Chancellor of the Exchequer, in his opening speech that evening, had pointed to 23 pages of Amendments, and then threw the Order Book down on the Table as if that settled the question. In the first place, he desired to submit that the diagnosis of the right hon. Gentleman might be absolutely wrong, and he would show him why. He himself had put down eight Amendments to the first clause. With the negativing of the first of those Amendments the other seven would be disposed of, and, therefore, it was not fair for the right hon. Gentleman to take the 23 pages of Amendments as an accurate estimate. The second point was, that, looking at the two nights spent in Committee on the Bill, he was unable to say that there had been anything like obstructive procedure. He did not put that forward on his own bare statement, but simply pointed out that the three chief matters discussed were all points that the Government might have conceded without injuring their Bill as originally introduced—namely, tenants evicted for breach of statutory conditions; tenants evicted by order of the High Court of Justice; and evicted tenants not now residing in Ireland. The Government, at that time, never intended to include within the scope of the Bill tenants evicted for breach of the statutory conditions, nor tenants who no longer resided in Ireland. His reason for saying so was the letter of the Chief Secretary to the hon. Member for Longford. Moreover, the Government ought never to have left the decrees of the High Court at the mercy of two solicitors. The Government might have accepted most of the Amendments proposed without in any way affecting the object for which they had introduced the Bill. Not only did he deny that there had been any obstruction in Committee, but he maintained that the Debate and the Amendments were in Order on all the points discussed, and that

those points were strictly relevant to the question. From the beginning, ever since the Bill had been introduced, he had seen that it must either be a question of compromise or no Bill at all. There had been a good deal of appealing to Leaders on one side of the House and the other, but he was going to make an appeal to a quarter of the House to which no appeal had yet been made. He believed that this Bill represented the irreducible minimum of the Irish Members, and he believed that the Chief Secretary was tied down to that, and that this was really the reason why the right hon. Gentleman would not either accept Amendments or agree to compromise. It was all very well for hon. Members and for the hon. Member for Bedford, who was accustomed to this sort of thing, but who never gave up anything on his own side, to make those appeals; but there was a far more potent quarter to which he now desired to appeal. Everybody in the House and outside was aware that if the compulsory principle in the Bill were abrogated, a settlement could be arrived at in that House. What stood in the way of that compromise was the position of hon. Members opposite, to whom he now appealed. Their position no doubt was perfectly straightforward; they did not believe that the Bill without compulsion would serve their purpose, and, therefore, the Chief Secretary found himself unable to accept Amendments in that direction. If this Bill was lost it would be because of the extremists on both sides of this question, and that was a miserable result. If Irish Members opposite would be reasonable, then this question could be settled. If there was no reasonableness shown there, and no disposition to accept any Amendment or compromise, he was afraid the Bill would go to its own place, and that place would not be the Statute Book. It might easily have been otherwise, and he, for one, would always regret that in a case where compromise was possible compromise could not be brought about in consequence of the inflexibility of extreme men on both sides.

Question put.

The House divided:—Ayes 217; Noes 174.—(Division List, No. 204.)

Main Question put, and agreed to.

**ORDERS OF DAY.****SUPPLY—REPORT.**

Resolution [30th July] reported.

**CIVIL SERVICES AND REVENUE  
DEPARTMENTS, 1894-5.**

**(THIRD VOTE ON ACCOUNT.)**

"That a further sum, not exceeding £3,583,150, be granted to Her Majesty, on account, for or towards defraying the Charges for the following Civil Services and Revenue Departments for the year ending on the 31st day of March, 1895."—[See page 1273.]

Resolution read a second time.

\*MR. J. W. LOWTHER (Cumberland, Penrith) called attention to the case of Mr. W. Leck, who had recently been appointed an Inspector of Metalliferous Mines in the County of Cumberland. So far as he had been able to gather from the Home Secretary at question time that afternoon, it appeared that no qualifications were at present laid down for candidates for such appointments. But he observed from a Paper issued by the Home Office that three necessary qualifications were very properly laid down in the cases of Inspectors of Coal Mines. First, the candidate, within five years of the time of his appointment, must have been employed for two years underground; second, he must satisfy the Civil Service Commissioners that he possesses certain necessary qualifications; and third, he must be over 23 and less than 35 years of age. If those conditions were necessary in the case of an Inspector of Coal Mines, he could not conceive why they should not be applied to the case of an Inspector of Metalliferous Mines. Mr. William Leck, however, did not satisfy a single one of those three requirements. He had no experience whatever of coal mines; he did not even possess a second-class certificate, and yet he might be called upon to supervise the work of first-class certificated managers of mines under the Coal Mines Regulation Act of 1887. It appeared from Section 39, Sub-section 4 of that Act, that this gentleman, although appointed as an Inspector of Metalliferous Mines, and although he did not possess a single one of the qualifications laid down by the Home Office in the case of an Inspector

of Coal Mines, might be called upon to act as an Inspector of Coal Mines.

MR. ASQUITH: If required.

MR. J. W. LOWTHER said, that although an arrangement had been come to by the Home Secretary with Mr. Leck that Mr. Leck should not inspect coal mines, that understanding could not be binding on the successor of the right hon. Gentleman in the Home Office; and therefore this anomalous state of things was possible—that a gentleman who had been appointed an Inspector of Metalliferous Mines might at a future time be called upon to inspect coal mines, although he did not possess a single one of the qualifications required by the Home Office. Mr. Leck had not satisfied the Civil Service Commissioners of his fitness for the post, because he had passed no examination, nor was it intended that he should submit to any examination in the future. Besides, Mr. Leck was over the prescribed age, being 40.

MR. ASQUITH: Thirty-seven.

MR. J. W. LOWTHER said, that was over the age prescribed, which was 35. He had shown that Mr. Leck had none of the necessary qualifications, and he would now point out Mr. Leck's disqualifications. It appeared that Mr. Leck had been employed as an under-manager in an iron mine belonging to the hon. Member for West Cumberland, and he was also Secretary of the Cleator Moor Liberal Association. In November, 1888, unfortunately an accident took place in the mine, and the coroner's jury added to their verdict words reflecting on three persons, of whom Mr. Leck was one, by declaring that there had been "great but not criminal neglect" on the part of those three officials of the mine. Therefore, so far from Mr. Leck being qualified to act as an Inspector of Coal Mines, he had recorded against him the pronouncement of a jury of his countrymen that he had been guilty of great, though not criminal, neglect in his duties. They did not wish him to be prosecuted. They found there was no criminal neglect. Soon after the inquest Mr. Leck left the service of the hon. Member for West Cumberland—which was not a matter of much surprise—and since then up to the present time, as he (Mr. Lowther) was informed, he had not since been employed in any mine. He (Mr. Lowther) did not think Mr. Leck could be employed as

a manager or under-manager, as he did not hold the necessary certificates. Until May this year his employment had been that which he had combined with the under managership of the hon. Member's mine—namely, Secretary to the Cleator Moor Liberal Association. Mr. Leck in that capacity assisted very largely in bringing about the return of the hon. Member for West Cumberland. Not only did he assist the hon. Member as a Party worker, but he was actually employed by him as one of his sub-agents at the last election, and so valuable were his services that the hon. Member rewarded him with a fee as large as that which he had paid to his election agent—namely, £100, and to this day might be seen in the election expenses returned by the hon. Member for West Cumberland the item of £100 paid to this gentleman. And this was not all that fell into the mouth of this fortunate gentleman. In May of this year the postmastership of Cleator Moor fell vacant, and Mr. Leck was appointed by the hon. Member for West Cumberland, and it was from that humble position he had been chosen as an Inspector of Metalliferous Mines. It was a great pity that an appointment such as this should have been conferred upon a man who had distinguished himself, above all others, in promoting the interests of one political Party.

**MR. ASQUITH:** Does the hon. Member suggest that is why he was appointed?

**MR. J. W. LOWTHER:** If the right hon. Gentleman says he is not aware of it—

**MR. ASQUITH:** I was totally unaware of it.

**MR. J. W. LOWTHER** said, he accepted the statement at once. If the right hon. Gentleman said he was not aware of the great part Mr. Leck had played during the last few years in Cumberland politics, all he could say was he must have been very badly informed by those who represented that particular part of the country. If he had asked the hon. Baronet below the Gangway (Sir W. Lawson) he would have told him that he knew Mr. Leck as a thorough-going Party man. There could be little doubt that it was at the instigation of the hon. Member for West Cumberland and others of that political faith that Mr. Leck had been fortunate enough

to secure this appointment. He had read in the chief Radical organ of the constituency a passage which he thought very instructive. It said—

"At the request of the working men, Mr. Ainsworth took up the question of getting such an appointment made shortly after the last General Election, and during all the time that has elapsed he has never wearied in his efforts to comply with the request of the working men. Even when he was ill and confined to his house, as we have good reason for knowing, he kept pegging away at his task of convincing the Home Secretary of the wisdom of the course that ought to be adopted. Although Mr. Ainsworth's illness has prevented him from making a big score in the Division Lobby, all those connected with the iron industry know well how earnestly Mr. Ainsworth has worked with this object, which I am glad to learn is now completely successful, much to Mr. Ainsworth's credit."

He was sure they all regretted very much the long absence of the hon. Member for West Cumberland from the House in consequence of illness, but he must say that their regret was a little tempered when they found that even on a bed of sickness he was trying to work what in Cumberland was regarded as a political job. He (Mr. J. W. Lowther) had thought it right to bring this case before the House of Commons. He had also thought it his duty last January, when he heard that it was possible that this gentleman might be appointed, to communicate with the right hon. Gentleman opposite, and he had laid certain facts before him, some of which he had detailed to the House. Other facts which he had mentioned had only come to his knowledge since that period. But when, last January, he heard that the right hon. Gentleman was contemplating the appointment he warned him that it would not be favourably received in Cumberland, and laid certain facts before him as to the verdict of the jury. He was afraid he had not a copy of the letter, but if the right hon. Gentleman had the letter by him he should not object to its being read. He considered it a very important fact that there should be selected for the post of Inspector of Mines a man who was found by a jury of his countrymen to have been guilty of gross but not criminal neglect in the management of a mine. He thought that pretty serious. Subsequent to that other facts had come to his knowledge as to this appointment, so that he had thought it right to bring the



matter before the House. The statement of the right hon. Gentleman that he knew nothing whatever of the politics of this man was surprising, but he did not blame the right hon. Gentleman as much as he blamed his colleagues in his representation of the county. The right hon. Gentleman had taken six months to consider whether he would appoint this gentleman, and, therefore, he must have had considerable doubt in his own mind. It was not desirable that such an appointment should be given to a man, however deserving he might be, who had taken so active a part in political organisation. In the delicate work which he would have to perform as Inspector of Mines questions would arise—were certain to arise—in which political animus would be introduced, and it would be very difficult for an Inspector to maintain that judicial and impartial attitude in dealing with such matters if he had formerly been a strong political partisan in the county in which he was nominated to serve.

MR. J. WILSON (Durham, Mid) said, that he wished to say a few words in order to remove a false impression which appeared to be in the mind of the hon. Member for Penrith. The hon. Gentleman had not dealt with the appointment of Mr. Leck from the point of view of fitness or ability to fill the office of Inspector, but from the point of view of politics, throwing discredit on the appointment because Mr. Leck had acted as a political agent. Therefore, it was necessary that one who knew the history of the appointment should state what the facts were. The hon. Member had said that Mr. Ainsworth, the Member for West Cumberland, had brought forward Mr. Leck's claims. That was not exactly correct. He (Mr. Wilson) had himself brought the claims of Mr. Leck not only before the present Home Secretary, but before his predecessor. He did so for two or three reasons. Cleator Moor was somewhat far from North Durham and South Northumberland, and he and his friends had therefore considered that the area was too large for the then staff of Inspectors, and that it would be an advantage if they could get a new district formed comprising the metalliferous mines of Cumberland. In the second place, they thought that a man proficient in the technicalities of metalliferous mines would be the best man to inspect those

mines. And, in the third place, they thought that in Mr. Leck they had a man well qualified to fill the office. As far back as five years ago he recommended Mr. Leck for the appointment. He did so not from any knowledge of the political bias of Mr. Leck's mind, but because he was urged to do so by the workmen of the district. It might not be within the knowledge of all hon. Members that there had been two or three deputations of workmen who brought the claims of Mr. Leck before the Home Secretary, and those deputations had been supplemented by others from the employers, who themselves believed that Mr. Leck was a properly qualified person to fill the office. Despite these facts the hon. Member had dealt with the appointment from a political standpoint. With the exception of a slight reference to a mishap which occurred to a mine in the district over which Mr. Leck had been placed, the whole of the argument was addressed to the fact that Mr. Leck had been a political agent for the hon. Member for the Egremont Division of Cumberland. So far as he (Mr. Wilson) was concerned, he did not know, when he recommended Mr. Leck, whether he was a Liberal or a Conservative. He was bound, however, on this subject to remark that he did not see that it mattered what politics a man might profess, provided he was sufficiently well qualified to fill the post for which he was required. Mines belonged to Conservatives as well as to Liberals, and it ought not to be supposed that because a man was qualifying for any prospective post that he might have open to him, he should not, apart from this, have the right to take part in politics on any side that he pleased. With regard to Mr. Leck, he was confident that if the present Home Secretary were in office for 20 or 30 years to come, he would never be able to appoint a fitter man for the place. And he was confident also that the right hon. Gentleman would never be able to appoint a man who had so large a consensus of approval behind him as Mr. Leck had, both from employers and workmen.

\*MR. ASQUITH: I am not sorry that the hon. Gentleman has seen fit to take this, perhaps, not very convenient opportunity of raising this question, which certainly might more fitly have been



taken on the general discussion on the Estimates. He has levelled against me one of the most serious accusations which could possibly be made in this House against a Minister of the Crown.

**MR. J. W. LOWTHER:** No.

**MR. ASQUITH:** He has said that I deliberately appointed to a position of great responsibility a person not competent to discharge the duties, because he happened to be a supporter of the political Party to which I myself belong. That is the charge which the hon. Gentleman made, and it is a charge which I am glad to have the opportunity of meeting, contradicting, and refuting at the earliest possible moment.

**MR. J. W. LOWTHER:** I must interrupt the right hon. Gentleman. I made no such charge at all. I simply stated the facts, and said that it was very regrettable that the right hon. Gentleman should have been placed in such a delicate position. I accepted the right hon. Gentleman's statement at once when he said that he did not know that Mr. Leck had been employed politically.

**\*MR. ASQUITH:** I am glad to hear it. But certainly the inference which I drew, and which no doubt the House drew from the language, which the hon. Member used was, that this gentleman would not have been appointed unless the judgment of those responsible for the appointment had been swayed by political considerations. If I misunderstood, or in any way misrepresented the hon. Gentleman in drawing this conclusion, I readily apologise. Now that the question has been raised, I may say that since I have been in Office a great deal of patronage has had to be bestowed, and I certainly feel that no more invidious, and indeed, distasteful, duty than the making of appointments to places of this kind has fallen on me. But I have never appointed any person to any place within my control for political considerations, direct or indirect. Only the other day when I had to make an appointment to that which was the most important place in my disposal—the Assistant Under Secretaryship in my own Office—I appointed a gentleman whom I knew to be strongly opposed to my own political opinions, because I believed him to be the fittest man to discharge the duties of the office. I do not really think that any hon. Member

would believe that I gave any place to any man, passing over a fit man for an unfit man, because he belonged to the Liberal Party. Putting this aside, I must candidly say, since I had given the strongest possible denial to the suggestion that I have had Mr. Leck's political opinions in view—that having looked this afternoon through a number of letters and other documents received by me, some nearly two years ago, in relation to this matter, I have found a casual statement in one of the letters that this gentleman was a supporter of or active worker on behalf of the Liberal Party in his district. I can assure the House that this statement had entirely dropped out of my mind, and I had no idea of anything of the sort when the appointment was made. I wish to say, unhesitatingly, that in all the patronage which I have had to dispose of, I have never had such a remarkable combination of opinion from opposite quarters as in the case of this gentleman. Very shortly after I came into Office, I received a deputation from the Miners of the Cumberland and the North Lancashire district, who strongly urged on me the appointment of an additional Inspector for that district, and they recommended Mr. Leck as the man which commanded the confidence of the miners of the whole of the locality. This was the first I heard of the matter. Some time elapsed, and when I had the advantage of going into the matter I arrived at the conclusion that the staff of Mining Inspectors did need strengthening. I then proceeded to consider what were the conditions under which Metalliferous Mines Inspectors had before been appointed. I followed in this case the precedent set by every one of my predecessors. [An Irish MEMBER: Predecessors.] Yes, predecessors. I am glad that it is a Member from the Sister Isle who has corrected me. There is not, so far as I know, a single case of a Metalliferous Mines Inspector who has not been appointed under precisely the same conditions as Mr. Leck and the two gentlemen who were appointed at the same time for North Wales. The appointment of Inspectors of Metalliferous Mines has always been treated by successive Secretaries of State for the Home Department, and by the Treasury, as coming under the 4th sec-

tion of the Superannuation Act, 1859. The powers of that section both exempt the candidate from limitations as to age which are exacted in the case of Coal Mines Inspectors, and from the passing of the qualifying examination. There are quite a number of cases in which the Treasury and the Secretary of State have acted on that view. I have laid the whole of the facts before the Treasury, and stated that in my opinion it would not be desirable, having regard to the peculiar conditions of the iron mines and quarries, to take only men who have passed the coal mines examination, and who must have spent two years underground in coal mines, and that I thought that I had found men who were qualified by special experience for this particular kind of work. There was, therefore, nothing exceptional in the appointments. Some reference has been made to the provisions of the Coal Mines Act of 1887. But the 39th section of that Act, which has been referred to by the hon. Member, does not mean that the Secretary of State should be debarred from appointing as a Metalliferous Mines Inspector any person unless he is a Coal Mines Inspector, but that if the Inspector is sufficiently qualified he may be required to act either in the one capacity or the other. There were a large number of applications for the appointment, but I can unhesitatingly say that there was no one who had anything like the support Mr. Leck had. The whole of the local Mining Associations passed resolutions and forwarded them to me, asserting that Mr. Leck was the man who possessed their confidence in the largest degree. A Memorial was signed by no less than 14 of the largest mine-owners in this district in favour of Mr. Leck, the output from their mines ranging from no less than 500,000 to 20,000 tons. The hon. Member for West Cumberland also urged his claims. I also had a conversation with the hon. Member for Morpeth (Mr. Burt), than whom there is no man more qualified to pronounce an opinion and less open to suspicion, and he took the same view as did the hon. Member for Mid Durham who has just addressed the House. I have never had experience of the claims of a candidate for an office having so large a consensus of opinion of workmen and employers in the trade. There was one dissentient voice, that of

*Mr. Asquith*

the hon. Gentleman who moved the Amendment. The hon. Gentleman wrote a letter nearly a year ago in which he said that if it was proposed that Mr. Leck should be appointed he desired to make some representations on the subject. I wrote to the hon. Gentleman and asked him to state what he knew against Mr. Leck. The two allegations made against Mr. Leck by the hon. Gentleman were, first, the verdict of the Coroner's Jury in the case to which the hon. Gentleman has referred, and next the fact that Mr. Leck did not possess a certificate. There is not a syllable in the documents sent by him to me warning me that Mr. Leck was a political partisan, or that his application had been promoted by persons of my Party. I remained as ignorant after the letter as I was before that Mr. Leck belonged to my political Party. There is one fact to which I attached great importance, and that is the verdict of the Coroner's Jury. I paused for a long time in the face of that verdict in giving this gentleman the place I have given him. I thought the mere fact that such a verdict had been recorded was a strong argument against his appointment. But I examined the case most carefully, and I will tell the House what it amounted to. It amounted to this: that a fire broke out in the Cleator Ore Mine in 1887. There were two pits, No. 9 and No. 6. The fire broke out in No. 6. Mr. Addison was the general manager and Mr. Leck was the manager, and a person of the name of Crawford was the overseer. When the fire was discovered it was not disputed that Mr. Leck and Mr. Addison not only used energy but displayed something approaching to heroism in their attempts to extinguish it and prevent it spreading. These efforts were successful as regarded No. 6 shaft. What happened was this. Addison, the general manager, was weak, and injured by his exertions. Leck, the manager, was also injured by his exertions; and Crawford, the other man, whose duty it would have been to warn the men not to descend the other, or No. 9, shaft, was disabled by his exertions, and under these conditions, there being some misunderstanding as to whether Leck or Addison ought to have told Crawford that it was his duty to warn the men the accident happened. I do not think I can say that a man in that state of physical and mental depression

having failed to give an order, which it is admitted somebody else might have given, ought to be disqualified from discharging duties which everybody in his district agreed he was thoroughly qualified to discharge.

AN HON. MEMBER: What about his age?

MR. ASQUITH: There is no qualification about the age of Metalliferous Inspectors. There is nothing to prevent me appointing a man who is 60 years of age, but I agree that it is desirable as far as possible to follow the analogy of the Rules laid down in reference to the Coal Act. There the maximum age is 35, and this man was, I was told, 37, which I do not think a disqualification under all the circumstances. There is one consideration which I think was at the bottom of this Motion. Mr. Leck was a workman.

AN HON. MEMBER: A postman.

MR. ASQUITH: I know nothing about that. The greater part of his life had been spent in mining underground, and he gradually attained by industry and energy the position of manager. After being manager for five or six years he carried on mining operations for a short time on his own account. These operations were not successful. This was a new departure. [*Cries of "No!"*] Yes, this was a new departure to appoint workmen to Metalliferous Mine Inspectorships. He could not help thinking that a good deal of the feeling which had been caused by this particular appointment was due to the fact that they had gone out of the ordinary run and had taken a man from the ranks. He was satisfied that Mr. Leck had the confidence both of employers and employed, and that he would discharge his duty with efficiency and despatch.

\*MR. STUART-WORTLEY (Sheffield, Hallam) regretted that the right hon. Gentleman had degraded the discussion to the lowest depths of Parliamentary partisanship by the totally unjustified insinuations he had made in the concluding part of his speech. The example had been set to the right hon. Gentleman by his Conservative predecessors to appoint workingmen Inspectors of Mines and Factories.

MR. ASQUITH said, that no Inspector of Metalliferous Mines had before been a workman.

\*MR. STUART-WORTLEY said, the right hon. Gentleman founded himself on

a frail distinction. It was true that working men were not appointed to Inspectorships of Metalliferous Mines. Why? They were appointed when they were qualified to make the inspections. The two Inspectors appointed to districts containing only Metalliferous Mines had hitherto been men of high scientific qualifications like Professor Foster and the late Sir Warrington Smyth. Was the right hon. Gentleman going to compare men like Mr. Leck with these men? He asserted that the appointment of Mr. Leck was a new departure to which attention ought to be drawn. He could not think that the fact that a man was recommended by all the Trades Unions in the districts and some of the employers was a recommendation. An Inspector armed with rights of entry and with power (should he have the inclination) to discriminate between one employer and another should not feel that he owed his appointment to those to whom he was to stand in such a delicate position. That was contrary to public policy and a thing which the right hon. Gentleman ought to give more attention to. The right hon. Gentleman said it was pressed upon him that this new district wanted creating, but this proposal to create a new district came repeatedly accompanied by a recommendation to appoint a particular personage, and the requirements of the district ought to be heavily discounted in view of this most improper proposal to usurp patronage which did not belong to them, and which they ought not to have. Let the last part of the speech of the right hon. Gentleman be forgotten, but while accepting his repudiation of being influenced by a political motive, it is well that attention had been brought to that case. Whether it be right or wrong to create these new districts or class of Inspectors, I wish that the first example of the creation had been of a less objectionable kind.

MR. LEGH (Lancashire, S.W., Newton) said, that the innocence displayed by Mr. Asquith was positively refreshing, seeing the history of Mr. Leck and the fact that the persons who recommended him were supporters of the Government. Out of the testimonials from millowners, the only Conservative expressed the opinion that Mr. Leck was not a suitable person for the appointment. They naturally accepted the

assurances of the right hon. Gentleman, but he thought they might legitimately complain that his inquiries were not pushed a little further into this matter. He was convinced that there would be a widely disseminated opinion that one of the qualifications for an Inspector of Mines were that he should be a partisan of one political Party. It was unfortunate that such an impression should have been created, and especially that it should be due to the action of the Government, which claimed to have done more for the working man than any Government of recent times. He thought his hon. Friend was well advised to bring his question before the House, and if he went to a Division he would support him.

\*Mr. TOMLINSON (Preston) said, that in the appointment of Inspectors of Mines the principal object to secure was the safety of the miners, and the only consideration which should have weight was, that the man proposed to be appointed was the best qualified man to fulfil that condition. The principle ought to be laid down that no one should be called on to act as an Inspector of Mines who had not the minimum knowledge of mines required for those whose operations he was called on to inspect. The question was left in an unsatisfactory condition when it was said that Inspectors might be appointed without having given evidence of knowledge of these subjects, but simply on the opinion of their fitness expressed by workmen and employers. In the case of one of the candidates the applicant had been told that he was not eligible for the reason that he was over 40 years of age.

MR. ASQUITH: Was he a candidate for this appointment?

MR. TOMLINSON: Yes. The right hon. Gentleman would not be surprised if this man and his friends held the view that favouritism had been displayed, seeing that the candidate appointed was over 35 years of age.

MR. ASQUITH: I do not think any such intimation was made to the candidates; but I will make inquiries into the matter.

MR. JOHN BURNS (Battersea) said, he had listened to the speech of the hon. Member for Penrith, and it had appeared to him not only a plausible but a powerful indictment of Mr. Leck. He had discounted in his own mind all arguments founded on political partisanship—though

he thought that politics had a great deal too much to do with nominations of this kind. If a vote had been taken on the question simply on the statement made in regard to Mr. Leck's non-examination and want of qualification he (Mr. Burns) would have been found in the Lobby with the hon. Member. But they had heard the other side of the case, and though the Home Secretary had not altogether exonerated his Office from blame he had shown that under a certain section of the Metalliferous Mines Act the candidates might be exempted from undergoing examination.

MR. ASQUITH: The Treasury have power to exempt them.

MR. JOHN BURNS: Yes; the Treasury. It did seem to him that the time had arrived when an irresponsible body like the Treasury, which was an irresponsible body never brought into contact with miners, should have the power taken away from it of dealing with these appointments, and that the power should be vested in the Home Office. The hon. Member for Penrith had based his charge on the ground that Mr. Leck was not qualified and had proved his contention, he (Mr. J. Burns) should have had pleasure in seconding his Motion; but, unfortunately for the hon. Member, he had not been able to sustain his charge. It had been shown that this man had been a mining engineer and, subsequently, the manager of a mine. That would indicate that he was qualified for an Inspectorship of Mines. They had gathered from the Home Secretary that this person had only recently come under his view; but they had heard from other hon. Members that for the past six or seven years there had been a strong attempt, not only on the part of Members of Parliament, but on the part of miners and mine-owners, to get Mr. Leck appointed. He deprecated these attempts on the part of Members of Parliament in regard to Factory as well as Mine Inspectorships. Although Mr. Leck's conduct had been censured by the Coroner's Court, an examination of the facts considerably palliated that conduct. The Home Secretary said the appointment had been made because strong recommendations came from all quarters, and because Mr. Leck was such an excellent man, so popular and so well qualified. If it was the case

that this man was strongly recommended, that he was popular and well qualified, why not subject him to the ordinary mining examination. One of his qualifications was that he was a working man, but there was no particular virtue in being a working man. A man ought to be in possession of other qualifications than that of being a working man for a post of this kind. There was only one safeguard against political partisanship in such appointments, and it was to be found in a thoroughly sound system whereby all men were put through the mill of an examination which proved their qualifications. He sincerely hoped that the Home Secretary would bear this discussion in mind, and would systematically put into the waste-paper basket the hundreds of letters he received from Members of the House of Commons asking him to speak in favour of Tom, Dick, or Harry who was a candidate for the post of Factory Inspector or of some other appointment. He trusted also that the right hon. Gentleman would try and induce the Postmaster General (Mr. A. Morley) to put an end to the jobbery in regard to Postmasterships in which Members on both sides of the House indulged to an extent that in his opinion was most discreditable, and that resulted in frequently causing one man to be appointed rather than another for purely political considerations.

#### BRITISH SUBJECTS IN THE TRANSVAAL.

SIR E. ASHMEAD-BARTLETT (Sheffield, Ecclesall) said, he wished to call attention to the present position of affairs in the Transvaal. He thought he should be able to prove without difficulty that the condition of our fellow-subjects in that part of South Africa was very serious. The dissatisfaction which prevailed amongst British subjects in the Transvaal 13 years ago in consequence of the mournful surrender of their interests by the then British Government had not seriously diminished, and he was told by those who knew South Africa best, that never since the surrender that followed Majuba Hill had there been such grave discontent amongst British subjects in the Transvaal as at the present moment. The British people in the Transvaal numbered 70,000.

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Mr. S. BUXTON, Tower Hamlets, Poplar), dissented.

SIR E. ASHMEAD-BARTLETT said, he had this information on good authority, and was told the British subjects far outnumbered the Boers, who were the governing and ascendant race. He believed also that British residents in the Transvaal paid nine-tenths of the taxation of the country, whilst it was the fact that to British enterprise and British capital the Transvaal owed its remarkable development within the last 10 years. The gold mines of the Randt District had been developed almost exclusively by British capital and energy, and the fact that the Boer Government now enjoyed a surplus of nearly £1,000,000 a year was due to British enterprise, labour, and capital. The British in the Transvaal were impressed with the idea that their interests were wholly neglected by the Home Government. They felt that they could not depend upon the Home Government to defend their rights or even the most elementary privileges which residents in a quasi-foreign country had a right to demand. The Boer Government had deliberately set to work to deprive our fellow-subjects of their rights and of all power of asserting those rights, and of gaining the ordinary privileges of citizens. Six months ago a law was passed with regard to the franchise. British subjects in the Transvaal would be perfectly satisfied to take their chance if they were put on a level with the Boer citizens. They demanded the right to acquire the franchise after residing for a certain time in the Transvaal and fulfilling certain conditions. The law, however, passed by the Boer Volksraad prevented British subjects from gaining the franchise on any terms unless their parents had been naturalised before them. The next step was to forcibly commandeer British residents, to take them from their homes by force, to carry them off to the front and to compel them to fight in the commandos against the native races. It was hardly credible that the Colonial Office should have allowed to prevail for so many years a state of things under which action of this kind could be taken, and it was the one partly



satisfactory point of the Government case that they had at last raised themselves to a realisation of the position, and had succeeded in putting an end to this monstrous system of commandeering of British subjects. Still, so poor was the British reputation with the Boer Government, and so afraid was our Government of taking energetic steps, that they had actually waited until the commando was sent back before the British subjects who had been commandeered were released. [Mr. S. Buxton dissented.] The hon. Gentleman had distinctly told the House that the British subjects would not return to their homes for two or three weeks, when the whole of the command would be sent back. Well, all this happened whilst the Queen was Suzerain. Under the Conventions of 1881 and 1884 the Boer Government were forbidden to conclude any Treaties with foreign nations who had not the approval of Her Majesty's Government. The commandeering of food and supplies still remained in force, and British subjects were liable to have the Boer Field-Cornet, a comparatively subordinate officer in charge of a district, coming down upon them and demanding supplies for the Army. When it was realized how ignorant and brutal in many cases these subordinate Boer officers were, it would be easily understood how objectionable this form of commandeering was to British subjects. So far as he knew, no protest had been made by Her Majesty's Government against this action of the Boer Government. He came now to the last and worst act of oppression. It was hardly credible that in the 19th century, and while the Queen was Suzerain of the Transvaal, the Boer Volksraad had passed a law in secret session which practically took away from British subjects all right of public meeting. According to the statement made by the hon. Gentleman (Mr. S. Buxton) the other day all right of outdoor meeting, all right of procession, and any form of demonstration in the open air were forbidden by this law. He very much doubted whether there were half a dozen rooms in the whole of the Transvaal suitable for indoor meetings, so that this law practically took away from the 70,000 British subjects in the Transvaal all right of expressing their grievances.

*Sir E. Ashmead-Bartlett*

The Volksraad had also added a clause forbidding the assembly of more than five persons in a room without the consent of the Boer Local Authorities. There was no doubt that the Boer Local Authorities would not hesitate to refuse to British residents the right of meeting when they knew that such right would be used with the object of urging their claims. The police were empowered to break in upon meetings held contrary to this law, and suppress them by force, whilst any person who was proved to have violated this monstrous enactment was liable to two years' imprisonment, and a fine of £500. Such an outrage had never been inflicted upon British subjects before, especially in a country where the Queen still possessed the right of Suzerainty. Since he had called public attention to the subject by questions in the House he had received a large number of letters from persons who were interested in it. The point which his correspondents were most indignant about was that the hon. Gentleman opposite (Mr. S. Buxton) had actually gone out of his way to throw his regis of approbation over the law just passed by the Volksraad. He did not think that a British Minister had ever committed himself in such a mistaken and humiliating way as the hon. Gentleman did when he made the statement that whatever might be the merits or demerits of the law the South African Republic appeared to be acting within their rights in passing it. Even if it were so, what business had the hon. Gentleman to make such a statement in the House of Commons? He knew that 70,000 of our fellow-subjects in the Transvaal were denied the most elementary rights, that they were being oppressed, bullied, and cowed, and that whenever they had attempted to hold meetings they had had large numbers of armed Boers riding amongst and threatening to shoot them down unless they disappeared. The hon. Gentleman had no business to make such a statement knowing that it would be immediately telegraphed to South Africa, and would be held by the Boers as ample justification for the oppression of our countrymen. People who knew the Transvaal best said that the neglect of British interests there and the abandonment of the British



colonists who in 1881 made such sacrifices to maintain British supremacy was producing a most disastrous effect on our position in South Africa. There was a great risk of repetition of the case of the American colonies. He hoped Her Majesty's Government would give up trifling with this question and would take up the firm and resolute line of action which was most likely to avert conflicts. It was only because the Boers thought they could safely oppress British subjects and bully the Home Government that they attempted these extreme measures. Surely the men who had turned the Transvaal from a ruined and bankrupt wilderness into a flourishing country had a right to the protection of the British Government. As to Swaziland, under the Convention of 1884 the Swazis were guaranteed their independence. It was a country of great natural wealth, and the Swazi people were unanimously opposed to annexation by the Transvaal. But, whatever settlement might be arrived at, he hoped that above all things Her Majesty's Government would insist on British subjects being allowed to assert their rights by constitutional means.

SIR R. TEMPLE (Surrey, Kingston) said, he hoped the eloquent words which had fallen from his hon. Friend would have some effect upon the Government. If the British colonists in the Transvaal could not get the British Government to listen to their grievances, they might at least feel that some Members of the House of Commons were anxious to support them. The Queen was suzerain of the Transvaal, and that must imply some influence in domestic affairs, especially with respect to the interests of British subjects. That was certainly the view which would be taken by British colonists in South Africa, and our position had never been so easy there as in other colonies. Therefore, it was just as well to secure the cordial allegiance of the British colonists; and their position now was intolerable. In no other part of the globe in which England had any supremacy was anything so unjust allowed as the method that had been adopted there to raise contributions in kine and capital. How long were these unjust conditions to remain in force? He was glad to hear that the President

of the Dutch Republic was on his way to visit England, and he trusted that the Under Secretary for Foreign Affairs would convey to him in very strong terms the views that had so often been expressed on the matter by responsible Members of that House. He was anxious to know what steps the Government intended to take with regard to the Swaziland question. They had been informed that the interests of the natives would be fully provided for under the terms of the Convention. When, however, they were able to examine the terms of the Convention for themselves, they found it laid down that the natives were not to be made the absolute subjects of the Boers unless they freely consented to submit to Dutch protection. This seemed a very menacing condition to the independence of the natives, for, whatever might be the view taken of the matter by the native Sovereign, the Boers would have but little trouble, he believed, in obtaining the consent of the natives to their exercising the rights of suzerainty over their territory. Indeed, complaints that such was likely to be the case had lately been received, and he hoped, therefore, that the Government would see that the terms of the Convention were very strictly enforced. It was not to be forgotten that in former years England had undertaken a moral responsibility in the welfare of these people which it was her duty to carry through. Moreover, the Convention went so far as to give to the natives a freedom of choice in the matter, and, that being so, it became doubly our duty to see that their right of liberty of choice was not taken away from them by the Boers. It was also a matter of the greatest importance to this country to maintain the independency of that territory. Whatever rights the Boers had acquired over the country they were certainly less than those possessed by England, and therefore from a strategic as well as from a moral point of view it was obviously to our interests that the independency of that country should be very carefully guarded. He did not know whether the House had carefully read the Agreement referring to Matabeleland and Mashonaland. It was unquestionably a most intricate document; but still, as it had been submitted to the considera-

tion of hon. Members of that House, he as one of them would like to offer his opinion upon it. The first thing that struck him was that the powers that England had reserved over this tract of territory that had lately been acquired and polished by the energy of our own countrymen seemed to be so divided and scattered. One would have supposed that there would be somebody in sole command; but in some respects the chief officer of the British South Africa Company in Matabeleland was under the Secretary of State, while in other respects he seemed to be under the High Commissioner for South Africa. This country had never governed her territories in the East in that way. The Viceroy of India, though responsible to the Secretary of State for India, was in sole command in all respects in India. In Matabeleland, on the contrary, the appointment of some officials had to be sanctioned by the Secretary of State, and others by the High Commissioner. As to the rights of the native inhabitants in these territories, it was very satisfactory to observe that in the Agreement were included many strong clauses protecting those rights. He congratulated the Government on having been so considerate and careful of the rights of the natives. He would, however, have thought that the right of appeal which was given to the natives would have been made to the High Commissioner in South Africa rather than to the Secretary of State in London.

MR. S. BUXTON said, he might explain that where the Secretary of State was mentioned in the Agreement the correspondence would have to come through the High Commissioner.

SIR R. TEMPLE said, he was obliged for the explanation, but he wanted to know why, in that case, the High Commissioner was not constituted the appellate authority? He apologised for the time he had occupied, but this Agreement was really a very important matter. This country was acquiring a new field for trade and enterprise which might be the germ of a vast dominion, and hereafter might become a great Empire. Under the circumstances, it was highly satisfactory to note that provision was made for preventing the natives in those territories from obtaining

liquor, arms, or ammunition. He congratulated the Government on this humane foresight. It was also very satisfactory to note a clause relating to the acquisition of land by natives in the same way as it could be acquired by persons who were not natives. Among them he would mention the fact that there was a clause relating to the acquisition of land by the natives in the same way as it could be acquired by persons who were not natives, which included a certain proportion of spring and arable land. That showed how the rights had been reserved in such territory as that of Matabeleland. He observed that provision was made that everything underground, which he supposed meant all minerals, mines, and the like, should be reserved to the Company. He presumed that this agreement having been ratified by the Company, the Company would be placed in a really strong position, and unlike the unfortunate though equally deserving Company about which a discussion took place last night, it would be placed in a position strong enough and rich enough to enable it to discharge its duties satisfactorily, not only in its own province but in the face of all South Africa, and that any remains of discontent which they used to hear of a few months ago from the mouths of Mr. Rhodes and others would finally vanish. He heartily trusted the arrangement now made might conduce to the further consolidation of the British Empire in South Africa.

MR. WHITELEY (Stockport) said, he wished to call attention to the annexation of Pondoland by Cape Colony. He had inquired into the matter, and found that during the last few years the merchants in the North of England had established and developed trading stations and established a commercial activity in Pondoland, and the more he had inquired into the matter the more he had been convinced that the inaction of the Government in respect to the annexation would result in, he might almost say, the annihilation of the Lancashire and Cheshire trade with Pondoland. Owing to the supineness of the Colonial Office, Cape Colony, through that shrewd, hard-headed man, Mr. Cecil Rhodes, had been able to trample on the rights of a small colony, and leave a sense of injury to wrangle

*Sir R. Temple*

in the minds of their people. He did not for a moment deny that in 1886 Cape Colony had the power given to them to annex Pondoland. He might prophesy at the outset what the reply of the Under Secretary for the Colonies would be; it would be the reply contained in Lord Ripon's Despatch of the 19th of July, 1894, a reply which, in his judgment, read more like an apology for the inaction of the Colonial Office than anything else, an excuse or explanation that he (Lord Ripon) and the Colonial Office were bound to carry out the policy of their predecessors. Lord Ripon was not able to deny in that Despatch that Natal now had, and at that time possessed, strong claims to the annexation of Pondoland; but, notwithstanding that, Lord Ripon sheltered himself under the wing, if he might so describe it, of his predecessors, and adopted the policy, "As it was in the beginning so it is now, and ever shall be." Lord Ripon refused to recognise the new state of affairs that had sprung up with respect to Pondoland and Natal, of which his predecessors in Office could have had no knowledge. As he had said in 1886, the Cape Colony had power given to annex Pondoland, but that power remained practically a dead letter, as the Cape Authorities declined all responsibility in the matter, and no steps were taken to annex. But since 1886 a perfectly new state of things had arisen. Natal, during the eight years, had been at very great expense in policing the border in order to prevent cattle-stealing raids, which were always rife on the borders of the South African Colonies, and to repress the troubles that had sprung up during the last few years in Pondoland. During this time a large and lucrative trade had grown up and crossed the border dividing Natal from Pondoland, a trade which had been a source of considerable financial gain to the Colony of Natal, therefore for Lord Ripon to shelter himself behind the plea that it was carrying out the policy of his predecessors in Office, in view of the altered state of facts was, in his (Mr. Whiteley's) judgment, not only wrong, but almost wicked, judged from the results that followed. He knew that Pondoland was a far cry from Westminster; it was a small tract of country to the South of Natal,

and only separated from Natal by a small fordable river, practically fordable throughout its entire length, and was only about 100 miles from the capital of Natal, whereas it was at least 600 miles to the capital of Cape Colony. It was always expected by the traders and merchants of the North of England that when any division or annexation of Pondoland took place, that at any rate Eastern Pondoland, that part to the North East of the St. John's River, and which bordered Natal, would fall to the lot of Natal. At the end of April or the beginning of May of this year he called attention to the matter by a question in this House when the hon. Member replied to him that he did not consider the subject one of great public importance, and did not propose to present any Papers to Parliament as all information would be contained in the Blue Book. He had some extracts from the Blue Book, and he found the ball opened with a Despatch from the Prime Minister of Natal to the Governor of Natal, in which he called attention to the disturbed condition of Pondoland, especially of that territory that abutted on the southern portion of Natal, and likewise maintained that it was used for the base of operations, and the natives were being kept in a constant state of ferment. The Prime Minister also called attention to the fact that the loss in trade with Natal by the annexation would amount to £25,000 a year, and requested that some steps be taken, pending the final settlement, for a meeting of the authorities of the Cape and Natal. That communication was sent on by the Governor of Natal to the High Commissioner, and in his letter accompanying it, he endorsed what the Prime Minister of Natal had said. On the 1st of September, 1893, the Prime Minister of Natal wrote again to the Governor a long Memorandum in which he dealt with the whole position of affairs, and stated he had reason to believe that the Pondos at large would be glad to come under the rule of Natal, with which they were content, and with which they were connected by old times and associations. The Prime Minister further stated that Natal would be glad to accept the responsibility of administering the affairs of Pondoland. The Governor



in sending that on to the High Commissioner asked for favourable attention to the views expressed in it. Sir Henry Robinson was unable to agree with Sir H. Bulwer's recommendation, but expressed the belief that Lord Ripon and the High Commissioner would be of opinion the time had come for bringing the Pondoland question to a final settlement. The next extract was a Petition of the Chiefs in Pondoland, a Petition of three-fourths—he believed, of seven-eighths—of the people of Pondoland, represented by their Chiefs, and they concluded with this significant sentence—

"We are tired of living in a country without rule and order and in a state of barbarism."

And they requested the Natal Government to take them over with their people and territories, living as they did on the borders of Natal; that they were quite aware of the laws of the Colony, and earnestly desired to become law-abiding subjects of Her Majesty. That was the resolution come to by the Chiefs ruling over seven-eighths of the inhabitants of Pondoland. To that, as he had previously said, Lord Ripon replied that he had examined the question and the claims of Natal, but he must rest his policy on the declaration of his predecessors. At the end of his Despatch Lord Ripon said that the occupation of Pondoland by the Cape would be in itself a considerable and distinct advantage to Natal, and he would invite their attention to the question whether Natal would not be going out of its way to take the responsibility. To him (Mr. Whiteley) it seemed that Lord Ripon had already made up his mind, and that the question had received only scant treatment at his hands when the claims and arguments of Natal were disposed of in this summary manner. The next of these Reports was from the Prime Minister of Natal to the Governor, in which he referred to this Despatch of Lord Ripon, and pointed out that Natal was perfectly aware of the responsibility they undertook, and that they still believed the policy that had been suggested might be carried out. A few more extracts followed which illustrated the mind of the Government, and, in his opinion, the wrongful action of the Cape Authorities in the matter. The Prime Minister of Natal claimed that the rights of Natal

ought to be considered on the grounds of equity, long associations, and the geographical position of Natal and Pondoland, and pointed out that the settlement about to be made would tend to strain the relations of the two colonies. These extracts showed that not only was Natal anxious to annex that part of Pondoland adjacent to it, but that the annexation by the Cape and the position taken up by the Home Government had created feelings of injury in the minds of the people of Natal and Pondoland. He would now for a moment just draw attention to the question of trade in that country. As he had said, the merchants of Manchester, and Lancashire, and Cheshire generally, had been improving their commerce in Pondoland. The trade had been through what was known as the outward counties, and cotton goods entering Eastern Pondoland had paid a duty to Natal of 6 per cent., but now that the annexation had taken place, and Pondoland was placed under the Cape Colony, the duty levied was 17½ per cent. That alone was a strong reason why the merchants of the North of England should desire Pondoland to be given over to Natal. Further than that, Natal Representatives, speaking in the Natal Legislature, said that the annexation of Pondoland to the Cape would mean a loss to Natal of £25,000 a year, because the trade would be stopped, as no one could afford to pay double duties, nor could they otherwise compete with the Cape traders, therefore, it would be a very serious matter to the outward counties. He had had to hurry over this matter because the time was short; but he believed he had made good his case that it had been the wish of Natal to annex that part of Pondoland running along its borders, and that that wish was shared by the traders who carried on business with Pondoland, both in the North of England and in Natal, and it was the desire of at least seven-eighths of the Pondos themselves. In spite of all this Her Majesty's Government had permitted the annexation by the Cape 600 miles away.

\*THE UNDER SECRETARY OF STATE FOR THE COLONIES (Mr. S. Buxton, Tower Hamlets, Poplar) said, the Debate had travelled over various parts of Africa, and he would take

*Mr. Whiteley*



the questions raised in their reverse order. He would say a word first upon the speech they had just listened to. So far as he was concerned, his only duty was to defend the action of the Colonial Office in this matter. The Colonial Office had no control over the Cape and Natal as to what they did as colonies with responsible Governments. The hon. Gentleman accused the Colonial Office of supineness in this matter, in giving way, as he said, to the Cape Colony. The right hon. Gentleman read numerous long extracts from the Natal Blue Book; but he omitted to read two that were germane to the question as regarded the position of the Colonial Office. When this matter of Pondoland came to an acute stage the other day it was their anxious desire to bring the Cape and Natal into friendly relations, and he could show that they were anxious to meet the views of Natal as far as they could. The hon. Member had omitted to read a Minute of the Governor of Natal to the Prime Minister of Natal, in which he stated that Lord Ripon had expressed a strong opinion that the case was one for a friendly and direct understanding between the two Governments and personal communication between the two Premiers. So far as Her Majesty's Government were concerned, they desired that the two Colonial Governments should be brought together to settle the question in an amicable spirit. But when an amicable arrangement was not come to the present Government were bound by the action of their predecessors to oppose the claim of Natal upon Pondoland. The hon. Gentleman omitted to refer to a Despatch of February 16th, 1894, which detailed the different Despatches and pledges that had been given by the predecessors of Lord Ripon at the Colonial Office, dated in 1886-87-88, from which it was clear that the Home Government had stated that the question of Pondoland was one entirely and absolutely for the Cape Government to decide for themselves. Their predecessors having made those declarations, though they were anxious to bring the two Governments together in a friendly way, they were incapacitated by previous pledges, even if they had wished, from acting differently to the way they did. If the Cape had been somewhat grasping, and Natal had suf-

fered, it was not the fault of the Home Government, as they had done their best to bring them together. So much for the question of Pondoland. As to the question of the Matabeleland Agreement raised by the hon. Member for Kingston (Sir R. Temple), he did not know that he need go into any detail upon that, because, as he understood the hon. Gentleman, he only wanted one item of information, which he supplied the hon. Member with across the Table. In regard to the matter the House was most interested in—namely, the care of the natives, he understood the hon. Member to be complimentary to the Colonial Office for having taken care that the interests of the natives were properly guarded and provided for. As regards the Agreement as a whole, they had done their best to make it a fair arrangement as between the Imperial Government and the Chartered Company, and to safeguard the rights of the natives in the best possible way.

SIR R. TEMPLE: Will the hon. Gentleman remember my question about the position of the High Commissioner?

MR. S. BUXTON said, he thought he had explained that across the Table; it was this: that for every action he did the High Commissioner was responsible to the Secretary of State, and all matters affecting South Africa came through the High Commissioner before they reached the Secretary of State. It had been thought advisable that, in regard to certain points, the matter should be put upon a firmer basis, and that it should be specifically stated that they had to be decided by the Secretary of State; but certain subsidiary matters were left to the decision of the High Commissioner, who was responsible to the Secretary of State, so that in effect there was no practical distinction. Then the hon. Member raised the question of Swaziland, which was also alluded to by the hon. Member for Sheffield (Sir E. Ashmead-Bartlett). He did not understand they desired, or that the House would wish him, to go into this question at any length, but he would remind the hon. Member for Kingston (Sir R. Temple) it was not the present Government who re-opened, or desired to re-open, the Swaziland question. There, again, they found themselves tied and bound by the action of their predecessors

wards the South African Republic and the good faith of English Governments in maintaining continuity of policy. In regard to the past, they were bound to listen to representations of the South African Republic and to meet them as far as they could with regard to this question of Swaziland, and what they had done was before the House. While they had acquiesced in the control of the Government of Swaziland by the Transvaal, they had stipulated for the native independence of the Swazis themselves, and in the Convention, which he hoped before long would be signed, they had safeguarded the rights of the Europeans there as well as of the natives themselves. In order that the negotiations might be completed, Sir Henry Loch had obtained from the South African Republic an extension for six months of the existing Convention, which he hoped would enable the matter to be brought to a satisfactory conclusion to all the parties concerned. The hon. Member for Sheffield had made a very violent and excited speech in reference to the action of Her Majesty's Government in regard to the questions in the Transvaal. The hon. Member's view, as he understood it, was practically that on all the matters mentioned by him, it was the bounden duty of the Government to have at once, and in a most hostile spirit towards the South African Republic, insisted on interfering with their internal legislation, and seeing that certain matters on which we might disagree with them were carried through in the way we desired.

SIR E. ASHMEAD-BARTLETT: I said nothing of the kind. What I said was, that the Government ought to defend the rights of the British subjects, and enter a resolute protest against the monstrous law infringing the right of public meeting.

\*MR. S. BUXTON said, there was a drawback to the hon. Member's policy which he would explain. While he said that Her Majesty's Government, on whatever side of the House they might sit, were always anxious and willing to protect the rights of British subjects in other countries, the policy the hon. Member proposed, in so many words, came to this: that we were to insist on the repeal of the laws affecting British subjects in the Transvaal, and if the

Transvaal declined to do this, we must insist upon it by force of arms. He was glad to think that the responsible Members of the late Government—and he desired to thank them for it—had been much more anxious to strengthen the hands of the Colonial Office, being desirous to prevent premature discussion in regard to these matters, and to treat the Transvaal, not as a hostile, but as a friendly country. The hon. Member very much perverted certain words which he (Mr. Buxton) let fall the other day in reply to a question as to this law of public meeting.

SIR E. ASHMEAD-BARTLETT: I quoted the exact words.

MR. S. BUXTON said, he objected to the inference the hon. Member drew from them. The hon. Member had asked whether the Government intended at once to enter a strong protest in regard to the law of public meeting, and he (Mr. Buxton) stated what was true, and which was this: Whatever might be the merits or demerits of the law relating to public meetings, the South African Republic appeared to be acting within their rights in passing such a law. That was in strict accordance with the principle laid down in 1890 by Mr. W. H. Smith in regard to the Imperial relations to the Transvaal. Mr. Smith, who at that time was Leader of the House, speaking in regard to the question of the Suzerainty, stated that, though Her Majesty's Government under the Suzerainty retained the power of refusing to sanction Treaties made by the South African Republic with foreign States, the cardinal principle of that settlement was that the internal Government and legislation of the South African Republic should not be interfered with. That was all to which he (Mr. Buxton) referred, and by which he meant that though they might, if they thought well, in this particular matter enter an Imperial protest, they had *locus standi* in regard to the matter at all. What was the position in relation to the three matters to which the hon. Member had referred. He first the case of the franchise. He thought himself the franchise in the South African Republic was restricted in a way that he should much regret to see in any other country thro-

—S. Burton



the length and breadth of the world. But he would remind the House that in regard to the question of the franchise, as, indeed, in regard to the law of public meetings, the Colonial Office had had no protests sent by those resident in the Transvaal asking them to interfere or protest in this matter.

**SIR E. ASHMEAD-BARTLETT :** There was a representation signed by 15,000 persons sent to Sir Henry Loch.

**MR. S. BUXTON** said, that was with reference to the commandeering question. When considering the question of negotiating in reference to the question of Swaziland the question of the franchise had come up, the point being whether, when they were negotiating that matter, they should not also endeavour to obtain better terms for the British inhabitants in the Transvaal in order to diminish those disabilities under which they suffered. What was the result? The inhabitants of the Transvaal, as we understood, did not desire that the Colonial Office should interfere in the matter, because they believed they were quite able to obtain a remedy for themselves, and that they were more likely to obtain fair terms if they were left alone. But when it came to the question of commandeering, that was a matter which stood on a very different basis. That was not entirely a matter of internal law, but one in which certain disabilities were specifically placed on British subjects, from which the subjects of certain other countries were exempt by Treaty, and strong protests having been received in regard to that matter, it was the duty of the Colonial Office to interfere and to make representations to the South African Republic. As regarded the legal position in this matter, they had the legal opinion of Sir Hardinge Giffard and Sir John Holker, reinforced by the opinions of their own Law Officers, that as far as concerned the legal question they had no case on which they might approach the South African Republic. But they did believe that they had a moral claim to interfere, because it was not right that in a friendly country British subjects should be under disabilities from which the subjects of certain other Powers were exempt. They placed this matter before the South African Republic in friendly and

courteous terms. The representations so made were, he was glad to think, met in the same spirit, and the result was that a Convention was to be negotiated exempting British subjects from military service and contribution. And, in order to show their friendly spirit, the authorities of the Republic brought the arrangement into force at once, and immediately enlisted a fresh burgher force to relieve the British subjects who had been commandeered up to that time. The question of the military contribution on British subjects was in exactly the same position as compulsory military service—namely, it formed part of the Convention; it would be removed, and, in fact, it was removed, at the moment the principle of a Convention was accepted. They had got a telegram from the High Commissioner only a few hours ago, stating that there had been no further British subjects commandeered, nor military contributions placed on them except the ordinary War Tax, which was placed on all residents in the Transvaal of whatever nationality they might be, and whether they were burghers or not. That was not the special military contribution to which the hon. Member referred, but what he might call a War Tax, which was placed on all the inhabitants of the country. British subjects were now to be free from any contribution which was not equally placed on the subjects of other Powers and upon the individual burghers living in the Transvaal. Looking at the circumstances all round, and to the fact that this country had no legal position in the matter, he thought that Her Majesty's Government had obtained, in a friendly way, from the Government of the South African Republic what might be considered as a very satisfactory solution of the commandeering question. While on this point he would like to say that he thought that the country was very much indebted to Sir Henry Loch for the way in which he had carried through the negotiations. He did not go to them, as the hon. Member would have had him do, with a pistol to their heads, but he went in friendly courtesy; but, nevertheless, by firmness, and by his tact, and the high character he held out there, and his great ability, he was able to carry through this very delicate and, as it might have been,

dangerous question in a way satisfactory to us, and he thought not unsatisfactory to the South African Republic as well. As regarded other matters in which British subjects might be placed under some special disability, he could say the Government would always be ready to do their best to see that justice was done to British subjects in any part of the world. With reference to the question of public meetings, he did not wish to say at the present moment what, if any, steps could be taken in regard to it. He wished, however, to point out that this was not a question like the commandeering, which was one especially affecting British subjects, and not the general population of the country. He did not for a moment say it would not indirectly chiefly affect the British subjects, because they were those who were most likely to hold these meetings, but it was, as he had said, in a different position from the commandeering question. The latter was a matter directly affecting British subjects, but the question of public meetings was one which applied equally and impartially to all those living in the Transvaal. He did not wish to make any statement on the subject, for the very good reason that Sir Henry Loch would be here in a few days' time, and it was desirable to consult him on this and other matters affecting the Transvaal before making any statement. It must be borne in mind that the Transvaal was, in regard to its internal affairs, practically an independent country; and when they were dealing with a country like that, it was a great misfortune that speeches like that to which they had just listened from the hon. Member for Sheffield should be made in the House of Commons. Such speeches as that of the hon. Member were far more likely to embitter our relations with the Transvaal than lead to a satisfactory conclusion. The Government by friendly and courteous representations to the South African Republic had obtained what they desired without any humiliation to the South African Republic itself, whereas if they had gone on the principle laid down by the hon. Member they should certainly not have obtained what they required, and probably would ultimately have had to go to war. The policy of their predecessors

had been the same as that of themselves in regard to the Transvaal; and he was sure that that was the right policy, while it certainly would be much more likely to lead to satisfactory results, and be much more to the interests of the British inhabitants of that part of the country, and very much more to the Imperial interests which were also involved, than the blustering and bombastic policy of the hon. Gentleman. It was to be remembered that while the Transvaal was governed by the Dutch there was also a large Dutch element throughout Cape Colony, which sympathised with the Dutch in the Transvaal. Though our sympathies might naturally go with the British part of those living in South Africa, it should be remembered that two great interests were involved in South Africa. The policy being pursued by Her Majesty's Government in South Africa would tend, he hoped and believed, to friendly relations between the different parts of South Africa and the Imperial Government: and this policy they would continue to pursue.

COLONEL HOWARD VINCENT (Sheffield, Central) rose to move the reduction of the Vote by £100, in order to call attention to the correspondence between the British South Africa Company and the Colonial Office relative to Clause 13 of the Matabeleland and the Mashonaland Agreement in regard to the limitation of Customs Duties. The facts were exceedingly simple and might be briefly stated. On May 8th, 1894, the Colonial Office sent to the British South Africa Company a Draft Agreement between Her Majesty's Government and the Company as to the future administration of Matabeleland and Mashonaland. Clause 13 of this Agreement, which had been duly executed, ran thus:—

"The power of making Ordinances granted to the Company under Clause 10 of its Charter shall be deemed to include the power of imposing by such Ordinances all such taxes as may be necessary for the order and good government of the said territories, and for the raising of revenue therein; also the right to impose and collect Customs Duties."

These last words Mr. Rhodes desired to have qualified by the following proviso:—

"Provided that if Customs Duties are levied, then, in so far as Customs Dues on British goods are concerned, they shall not exceed the duties thereon according to the tariff at present in force in the South African Customs Union."

*Mr. S. Buxton*



What was the object of Mr. Rhodes, the Premier of Cape Colony, in wishing for that proviso? His object was to secure that the duties to be imposed on British goods should never exceed the amount required for the purposes of revenue; that there should be a check against the introduction of the principle of extreme protection, and that the colonies should make a commercial return to the Mother Country for the expenditure of life and money she had incurred in establishing them. He thought Englishmen were indebted to Mr. Rhodes for his desire to make it a cardinal condition of the Constitutions of Matabeleland and Mashonaland that these countries, covering enormous areas and likely to become exceedingly prosperous, should never put protective duties on British goods. He believed that this feeling would be echoed in every industrial constituency in the country, more especially at the present time, because, as Mr. Rhodes clearly and distinctly said, he wished to have this proviso added in the interest of the English people, who were daily perceiving that the only return made to them by the colonies they had founded, and for all the blood and treasure they had spent, was that the present occupants of such colonies placed a prohibitive tariff on British goods, thereby removing the only existing benefit to the British manufacturer. He had no desire then to advocate protectionist doctrines, but he felt bound to say that he thought it a matter of great regret that British colonies should impose such duties on the goods of the Mother Country. For one he was heartily glad that Mr. Rhodes, as the Leader of Colonial statesmen, desired to put an end to this state of affairs. The injury which these tariff duties of foreign countries and the colonies did to our trade was absolutely incontestible, and yet what did they find was the action taken by the Secretary of State for the Colonies? Lord Ripon was the first Secretary of State who had ever had an offer of this kind made to him, and he rejected it. Why did he reject it? Because the proviso did not extend to goods from foreign states. It did not so extend for the best of all reasons. If the United States and other Powers continued their power of excluding British manufactures from their coun-

tries by their high tariffs, Mr. Rhodes desired to retain the power for Matabeleland and Mashonaland—although not claiming it at the present time—if it should become necessary in the future, of saying they had the right of imposing differential duties and considering the advisability of meeting these foreign tariffs, which did our own trade so much harm, in the same spirit. What were the terms of the answer of Lord Ripon, as Secretary of State for the Colonies, to this very generous and most patriotic offer of Mr. Rhodes, an offer which showed that he and his supporters desired nothing better than to cement closer and closer the ties which connected the colonies and the Mother Country, and to obtain for the Mother Country the great advantages which their prosperous markets offered to her in the present depressed condition of trade in this country? The Marquess of Ripon, writing to the Company on June 11th, 1894, expressed the opinion that—

“The proviso was unnecessary because the Company could only impose taxation by Ordinance, and such Ordinances were subject to disallowance by the Secretary of State, and consequently no Customs Duties could be levied which the Secretary of State was not prepared to sanction. There was, therefore, no reason to fear that the Company would be allowed to impose excessive duties.”

But he desired to call the attention of the Under Secretary and of the House to the fact that the Crown had now the power of disallowing any Bill proposed or enacted by a Colonial Legislature, including any Bill for the imposing of protective duties against British goods. But this was a right which neither this nor any previous Government had exercised, nor, he ventured to say, would any future Government of this country ever venture to exercise in respect of any Bill regulating the fiscal policy of any self-governing colony. It was quite impossible at this time of day for the Mother Country to interfere with the fiscal policy of any self-governing colony. All duties of this kind, levied by any foreign State or colony, were detrimental to the best interests of our trade. But the Marquess of Ripon based his refusal, not on consideration of the interests of British trade, but on the grounds that the proviso did not extend to foreign countries, and that the adoption of such a policy

would involve a departure from the course pursued for many years by the British Government. The long and short of the matter was that the Marquess of Ripon had declined this offer by Mr. Rhodes, not in the interests of British trade, but simply and solely because, sooner or later, it might become necessary in Matabeleland or Mashonaland, for the sake of revenue and other reasons, to put foreign goods in a less favourable position on their entrance into those territories than British goods. What had the British Secretary of State for the Colonies to do with the interests of foreigners? Had foreign nations done anything for the establishment of Matabeleland, Mashonaland, or any British colony? But being so solicitous for the foreigner he might have ascertained that as long as the clauses in the Treaty with Belgium of 1862, and with the Zollverein of 1865, providing that foreign goods should not pay a higher duty than British goods in British colonies remained un repealed, foreigners could prevent any differential duties being levied upon them by the Company. While, then, Lord Ripon had secured no greater benefit to the foreigner than he enjoyed under existing treaties, he had failed to secure a great advantage offered spontaneously to the British people. Why had he not paid attention to the great need that existed for new markets? Did he not know of the great depression in trade; did he not know of the large number of people unemployed in the country, and how great was the cry in every manufacturing centre amongst manufacturers and workpeople for new markets? All who had any knowledge of the subject agreed that new markets had become an absolute necessity for us. Yet when the Secretary of State for the Colonies had an opportunity of securing that the markets of 800,000 square miles of British territory should never be protectively closed against British goods, he contemptuously rejected it. He was not going to labour the matter further seeing the lateness of the hour (11.13 p.m.). He had raised the question entirely in the interest of his own constituents. It was a matter of vital importance to them that new markets should be secured for their products. He would, in conclusion, draw

*Colonel Howard Vincent*

the attention of the House to a very memorable speech made by the Premier of Cape Colony, a true Imperial statesman. Mr. Rhodes had said—

"The onus of rejection of this splendid offer lies with Her Majesty's Government. They spend their whole time on small matters. But the big question of the trade of the people they neglect. They forget that England is but a small country, and yet has to support nearly 40,000,000 people, who directly and indirectly are engaged in working up the raw product into the manufactured article, and distributing this article over the world. The world, finding that England is unrivalled in the manufacture from the raw material, has of late years been devising schemes, by protective and prohibitive tariffs, to shut her out—see, for instance, the action of the United States, of France, and of Russia; and yet the most extraordinary thing is that, when the English people are offered the privilege that South of the Zambesi their goods shall be admitted for ever on a fair basis, their rulers absolutely refuse. It will, I hope, be brought home to the English people, for with them rests the final decision."

He could not do much to bring this matter home to the English people, but what little he could do he was doing and he should do. It was for that reason that he ventured to move a reduction of the salary of the Secretary for the Colonies by £100.

Amendment proposed, to leave out "£3,583,150," in order to insert "£3,583,050."—(*Colonel Howard Vincent.*)

Question proposed, "That £3,583,150 stand part of the Resolution."

ADMIRAL FIELD (Sussex, Eastbourne) said, he desired to follow the hon. Gentleman who had just sat down, though not, perhaps, on the same lines. It was not necessary, he imagined, for the hon. Member's Motion to be seconded, or he (Admiral Field) would second it, for he had a grievance against the Colonial Office and against the hon. Gentleman who so ably represented that Office in this House. The grievance was one he wished to ventilate in the interest of the important shipping industry of the country. He wished to call attention to the mischievous system which prevailed to a limited extent of subsidising foreign mail steamers under foreign flags. He alluded in particular to the case of the subsidy paid with the partial approval of the Colonial Office to the Messageries Maritimes de France for carrying English mails to the Island of Mauritius. He

had put a question to the Government on the subject more than once, but without eliciting a satisfactory answer. He had been supported by hon. Gentlemen who who had put further questions—

\*MR. SPEAKER pointed out that this was a new subject, and that the question raised by the hon. and gallant Member for Sheffield ought to be disposed of first.

MR. S. BUXTON said, he would not detain the House more than a few moments in replying to the hon. Member for Sheffield, who had moved a reduction in the Vote because the Secretary of State was unable to accept Mr. Rhodes's offer in regard to the Matabeleland and Mashonaland settlement. Mr. Rhodes's proposal was that no higher duties than those at present in force under the Customs Union should be placed on British goods in Matabeleland and Mashonaland. That was a proposal which the Government could not accept, because it was based on the ground that it might become necessary at a future time to place differential duties on foreign goods. By this arrangement, therefore, it was intended practically to put a lower duty on British goods than on foreign goods imported into the country. That, of course, raised the question that was known as Fair Trade. He was not going to discuss that question this evening, but they did feel that when they had to decide the matter or alter their policy they should look at the whole fiscal principles upon which this country had acted for 50 years. Would it have been compatible with their duty to accept a proposal affecting one small colony only, but aimed practically at the fiscal principles accepted by this country for so long a period? The Secretary of State thought that if any alteration was to be made in our fiscal policy it ought to be done deliberately after due consideration and after taking into counsel all those who were interested in the change. The Secretary of State held that it would not be right to do anything by a side wind which might affect the general fiscal principles in which this country had hitherto acted. That was the ground on which the proposal was rejected, and he would point out further that as regarded the situation in Matabeleland and Mashonaland the rejection of the proposal in no way prejudiced

British interests. On the contrary, he believed that it was more likely that there would be lower duties on British goods in that part of the country than if Mr. Rhodes's proposal had been accepted. In the Bechuanaland Railway agreement the Secretary of State retained full power of refusing to pass any Ordinance introduced by the Chartered Company in that territory. The principle had been introduced that with regard to the whole of that territory the duties should not exceed the duties in force in the Customs Union, and in regard to Swaziland the identically same principle had been carried out. The hon. Member opposite was labouring under a serious mistake if he thought that, apart from the question of Fair Trade, the Government had in any way injured or damaged British interests. He would only say that, while the Government were very anxious to meet Mr. Rhodes's proposal in this matter, they did not think that in dealing with a small part of the great British Empire it would have been right or proper to raise a great fiscal question, and they thought that was a sufficient ground for the rejection of the proposal. As far as they could they had endeavoured to protect the interests of the British producer and the British exporter, and he believed they would be better rather than worse off by the proposals the Government had laid before the House.

Question put, and agreed to.

Motion made, and Question proposed, "That this House doth agree with the Committee in the said Resolution."

MR. CONYBEARE (Cornwall, Cambridge) said, he would not detain the House more than a few moments; but as regarded what had been said earlier as to the relations existing between ourselves, our fellow-countrymen in the Transvaal, and the Transvaal Government, it was desirable that a word or two should be said in reply by Members who had had the privilege of mixing with the Boers and their leaders, and who were acquainted with the President of the Republic. Random utterances by gentlemen who were unacquainted with the Transvaal as to the treatment of our fellow-countrymen in that country were to be deprecated. The hon. Member for



Sheffield had used expressions which were certainly not warranted, and which were calculated to do a great deal of harm by straining the relations between their own people and the inhabitants of the Transvaal. Unfortunately, words uttered by however humble and insignificant Members of the House were reported, and had an importance attached to them far beyond their merits by the people of the Transvaal, and other countries of the kind. He remembered observing, a few years ago, when he happened to be travelling in the Transvaal at the same time that the noble Lord the Member for South Paddington was making an excursion there, that that noble Lord had inspired very strong resentment, and incurred considerable odium from the people, to the injury of the interests of this country, by the unwarrantable language he had used against that people. That being the case, he thought it only fair to say a single word from personal knowledge of the people of the Transvaal and their leaders, in support of the generous sentiments of the hon. Member for Poplar, and the credit he had given Sir Henry Loch, our Representative in South Africa, for the manner in which he had brought about an adjustment of the difficult, and delicate, and thorny questions which had arisen between this country and the Transvaal. The particular point made against the people of the Transvaal was on the commandeering and franchise questions. On that he would only say that it was too commonly the idea of Englishmen that they could go and exploit foreign countries without being liable to pay taxes in support of law and order. The position taken up by our countrymen in the Transvaal was that which, unfortunately, foreigners thought they were always entitled to take up in countries which they considered half-civilised. The same thing had taken place in Egypt in times past. There were, no doubt, some Englishmen in the Transvaal who thought they were justified in refusing to submit to taxation for the purpose of maintaining the Government of the Republic. He did not think that their view was general. No doubt the system of compelling Englishmen to take part in military operations, and

to join expeditions against the unfortunate natives, ought to be put down. But to suppose that, therefore, they should be exempt from the payment of all taxation which was necessary for the carrying on of the government of the country, was a proposal to which he, for one, could not assent. People who went to the Transvaal to make their fortunes must expect to have to contribute something towards the cost of the maintenance of law and order. But if they did so contribute it was only right that they should have some share in the representation. The hon. Member for Sheffield, who talked so glibly against the Government of the Transvaal on these matters, probably was not aware of what had already been done in respect of giving a certain share of representation to our people in that country. He was not aware, perhaps, that a second Volksraad had been established for the representation of the European population. This was not all that was to be desired, but it was worthy of note that that concession had been obtained through the exertions of an hon. Member of the House whose name was honourably associated with all that was best in the progress of South Africa. The representation in the Transvaal was not so far behind our own. He had heard it said that a man could not be represented until he had lived 15 years in the country; but that was not correct. The necessary period of residence was either two or five years—he believed the former—though a man was not eligible for office until he had had 15 years' residence. Well, in this country two years' residence, and very often two and a-half years' residence, was necessary in order to give a man a vote. The President of the Transvaal Republic had a good answer to make to anyone who complained. He had said to him (Mr. Conybeare) that if they were to give a vote to everybody in the country in the present condition of things, with a large floating population consisting of people of all nationalities, most of whom went there to make fortunes and cleared out with as much money as they could collect, the Republic would soon be brought to ruin. It was, therefore, necessary for the well-being of the country that a reasonable period of

*Mr. Conybeare*



residence should be required to confer the franchise upon the foreigner. He commended the President of the Republic and his Ministers for insisting upon a measure of this kind as a measure of safety. Although they might feel, as Englishmen, that many of the arrangements in the Transvaal did not conduce as much as might be desired to the full development of the industry of the country in which so many millions of British capital had already been invested, he did not think there was the slightest desire on the part of any of the leading men in the Republic to treat Englishmen in a different manner to that in which they would treat their own people or the people of other States. Speeches were sometimes made on the floor of this House by gentlemen who knew nothing about the Transvaal or the rights and wrongs of the question, which tended to strain the relations between ourselves and the Boers. For that reason he was glad to have heard the speech delivered by the Under Secretary of State for the Colonies. He congratulated the hon. Member on the line of policy that Lord Ripon and he had laid down and carried out.

MR. H. S. FOSTER (Suffolk, Lowestoft) said he wished, in the interests of his constituents, to refer to a grievance they suffered through the way in which the Education Act was being administered towards voluntary schools, and the friction which existed between Her Majesty's Inspector and the managers of the voluntary school—

MR. ACLAND said, that he had asked the Chief Inspector to go to Lowestoft and to look into the whole question, because he recognised that the matter had not been well managed.

MR. H. S. FOSTER said, that in view of the statement of the right hon. Gentleman, the fulness and frankness of which he acknowledged, he would refrain from saying anything further.

MR. JEFFREYS (Hants, Basingstoke) said, he wished to call attention to the Merchandise Marks Protection Act recently passed, and to ask the President of the Board of Agriculture if he would do his best to see it was enforced, as it was competent for his Department to institute proceedings under it. The Act provided for the prosecution of those who sold foreign or colonial meat as

English meat. Much harm had been done to British agriculture by this practice, which was carried on to an enormous extent. A Committee of the House of Lords took evidence on this question, and one of the witnesses before it stated that close to Westminster there was a house which professed to sell Welsh mutton, whereas the meat in the shop came from New Zealand, and not a single joint of Welsh mutton could be found there. That was a case surely in which the owner or salesman ought to be prosecuted, and he hoped consequently the President of the Board of Trade would take action. A former Member of the Government, Lord Playfair, had pointed out that this was a matter which more concerned agriculture than the Board of Trade, and the Government had shown its willingness that a Bill should be introduced giving the Board of Agriculture those powers which the Board of Trade possessed under the Merchandise Marks Act with a view to the prevention of the sale of foreign and colonial meat under the name of English meat. If the right hon. Gentleman would assure him that he intended to use these powers he would be willing to withdraw the Bill standing in his own name, and he was confident that such an assurance would give lively satisfaction to the agriculturists of the United Kingdom.

MR. H. GARDNER said, that while admitting that agriculturists not unnaturally had shown some little impatience on this subject, he was glad to be able to point to the fact that the Bill promised by Lord Playfair had passed the House of Commons without dissent, and that it transferred to the Board of Agriculture powers conferred on the Board of Trade. Hon. Members on both sides of the House would agree that misrepresentation in a matter such as that was much to be deplored, and he could assure them that in enforcing the Act he would interpret the powers it gave to the Board of Agriculture in the most liberal sense, and apply them whenever any case was brought before him which seemed to justify that course.

MAJOR RASCH (Essex, S.E.) said, he wished to call the attention of the Under Secretary for the Colonies to the appointment of Dr. Grigsby as Chief Justice of Cyprus, and had to ask what

his qualifications were for the position? He was aware that Dr. Grigsby was a barrister and a member of the London County Council. But the one qualification which seemed to have secured him the berth was that he contested a Division of Mid Essex in the Radical interest at the General Election of 1892; and it really seemed that nowadays the shortest way of obtaining preferment was to contest a constituency in the Radical interest. This Chief Justice had joined a certain Company as a Director—a Company known as the Solicitors' Investment Government Trust—a name which would have frightened any sensible man. The Company was born in the year 1890, and after a variegated and chequered existence a petition was filed against it in the year 1892, and so disreputable were the circumstances attending its demise that the Board of Trade ordered an official inquiry, and Dr. Grigsby was ordered home from Cyprus to give evidence on the subject. A report of the investigation would be found in *The Times* of February 20th last, and without going into details he would point out that Dr. Grigsby appeared to have been concerned in three transactions of a questionable character—namely, lending money to someone who stuck to it, borrowing money himself from the Company, and also lending the Company's funds to a friend. He wished to know from the Under Secretary to the Colonies why this Judge was ever allowed to return to Cyprus as Chief Justice after his examination in relation to the liquidation of the Company with which he was connected. He had not the slightest grudge personally against this legal luminary, but he did think the House were entitled to an explanation of the action of the Government.

MR. S. BUXTON said, the hon. and gallant Member was, of course, entitled to raise this question, but it would have been more convenient if he had given notice of his intention to do so. So far as his recollection went, however, he would deal with the matter. In the first place, Dr. Grigsby was not Chief Justice of Cyprus, but a minor Judge corresponding in position to a Magistrate here. He had had a distinguished career at his University and as a barrister, and he was

recommended very strongly for the post. The hon. Member had commented on the fact that Dr. Grigsby stood against him in an election, and was defeated.

MAJOR RASCH: Not against me.

MR. S. BUXTON said, that his career was such that he seemed to be a fitting person for the appointment. The Colonial Office had no knowledge at the time of any connection of Dr. Grigsby with the Company in question, or that such a Company was in existence or had come to grief. But undoubtedly the Secretary of State felt the question was one of great gravity, and it was only after careful consideration of all the circumstances of the case that they came to the decision to allow him to go back to Cyprus. Although questions of gross carelessness were involved, they came to the conclusion that the accusations of fraud had failed, and whether they had been right or wrong in allowing Dr. Grigsby to return to Cyprus he was prepared to defend the decision at which they arrived.

Question put, and agreed to.

#### INDUSTRIAL SCHOOLS BILL [*Lords*]- (No. 385.)

##### COMMITTEE.

Bill considered in Committee.

(In the Committee.)

MR. T. M. HEALY: Could not this Bill be made to apply to Ireland?

MR. PAULTON (Durham, Bishop's Auckland): That point has been carefully considered, but it was found that the conditions obtaining in Ireland with regard to these institutions differed so widely from those in England that the extension would lead to great difficulty and inconvenience, and it would be better not to make it.

Bill reported without Amendment; read the third time, and passed, without Amendment.

#### MESSAGE FROM THE LORDS.

That they have agreed to—

Finance Bill.

Consolidated Fund (No. 3) Bill.

That they have passed a Bill, intituled,  
“An Act to confer additional powers on

*Major Rasch*

**Boards of Conciliation and Arbitration."**  
[Boards of Conciliation Bill [*Lords*].]

And also a Bill, intituled, "An Act  
to Consolidate the Copyhold Acts."  
[Copyhold Consolidation Bill [*Lords*].]

LOCAL GOVERNMENT PROVISIONAL  
ORDERS (No. 15) BILL.—(No. 237.)  
Lords Amendments agreed to.

EDUCATION PROVISIONAL ORDER (CON-  
FIRMATION (LONDON) BILL [*Lords*].  
(No. 300.)

Read the third time, and passed, with  
Amendments.

ELEMENTARY EDUCATION  
PROVISIONAL ORDERS CONFIRMATION  
(BARRY, &c.) BILL [*Lords*].—(No. 310.)

Read the third time, and passed, with  
Amendments.

PUBLIC ACCOUNTS COMMITTEE.

Fourth Report, with Minutes of Evi-  
dence and Appendix, brought up, and  
read.

Report to lie upon the Table, and to  
be printed. [No. 249.]

COAL MINES (CHECK WEIGHER) BILL  
[*Lords*].

Read the first time ; to be read a  
second time upon Thursday, and to be  
printed. [Bill 340.]

QUARRIES BILL [*Lords*].

Read the first time ; to be read a  
second time upon Thursday, and to be  
printed. [Bill 341.]

MESSAGE FROM THE LORDS.

That they have passed a Bill, intituled,  
"An Act to Consolidate the Acts relating  
to the Prevention of Cruelty to, and Pro-  
tection of, Children." [Prevention of  
Cruelty to Children Bill [*Lords*].]

PREVENTION OF CRUELTY TO  
CHILDREN BILL [*Lords*].

Read the first time ; to be read a  
second time upon Thursday, and to be  
printed. [Bill 342.]

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EVICTED TENANTS (IRELAND) ARBI-  
TRATION [GUARANTEE AND EX-  
PENSES] BILL.

Considered in Committee.

(In the Committee.)

Resolved, That it is expedient to authorise the  
Treasury to guarantee advances, not exceeding  
£250,000, charged on the Irish Church Tem-  
poralities Fund, in pursuance of any Act of the  
present Session to make provision for the restora-  
tion of Evicted Tenants in Ireland, and to charge  
the sums required to meet such guarantee on the  
Consolidated Fund of the United Kingdom.

And to authorise the payment, out of moneys  
to be provided by Parliament, of any salaries,  
remuneration, and expenses which may become  
payable under the said Act.—(*Sir J. T. Hib-  
bert.*)

Resolution to be reported To-morrow.

PRIZE COURTS BILL [*Lords*].—(No. 311.)

Considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress ; to sit  
again To-morrow.

STATUTE LAW REVISION BILLS, &c.

Message from the Lords [30th July],  
requesting this House to nominate an  
additional Member to the Joint Com-  
mittee of Lords and Commons on Statute  
Law Revision Bills and Consolidation  
Bills, considered.

Ordered, That Mr. Channing be added  
to the Select Committee appointed by this  
House to join with the Committee  
appointed by the Lords on Statute  
Law Revision Bills and Consolidation  
Bills.

Ordered, That a Message be sent to the  
Lords to acquaint them therewith.—(*Mr.  
T. E. Ellis.*)

INDUSTRIAL SCHOOLS BILL [*Lords*].  
(No. 335.)

Considered in Committee, and reported,  
without Amendment ; read the third  
time, and passed, without Amendment.

FOREIGN AND COLONIAL MEAT (No. 2)  
BILL.—(No. 45.)

Order for resuming Adjourned Debate  
on Second Reading [4th April] read, and  
discharged.

Bill withdrawn.

## PRIVATE BILLS.

Returns ordered, "of the number of Private Bills introduced and brought from the House of Lords, and of Acts passed in the Session of 1894, classed according to the following subjects:—Railways; Tramways; Tramroads; Subways; Canals and Navigations; Roads and Bridges; Water; Gas; Gas and Water; Improvement; Police and Sanitary Regulations; Corporations, &c. (not relating to Police and Sanitary Regulations or to Lighting and Improvement Schemes); Ports, Piers, Harbours, and Docks; Churches, Chapels, and Burying Grounds; Inclosure and Drainage; Estate; Divorce; and Miscellaneous."

"Of all the Private Bills, and Bills for confirming Provisional Orders, which, in the Session of 1894, have been treated as Opposed Bills; specifying those which have been classified in Groups by the Committee of Selection, or by the General Committee on Railway and Canal Bills; together with the names of the Selected Members who served on each Committee; the first and also the last day of the sitting of each Committee; the number of days on which each Committee sat; the number of days on which each Selected Member has served; the Bills the Preambles of which were reported to have been proved; the Bills the Preambles of which were reported to have been not proved; and in the case of Bills for confirming Provisional Orders, whether the Provisional Orders ought or ought not to be confirmed; the Bills referred back to the Committee of Selection, or to the General Committee on Railway and Canal Bills, as having become unopposed, and the Bills withdrawn or not proceeded with by the parties."

"And, of all Private Bills which, in the Session of 1894, have been referred by the Committee of Selection, or by the General Committee on Railway and Canal Bills, to the Chairman of the Committee of Ways and Means, together with the names of the Members who served on each Committee; the number of days on which each Committee sat; and the number of days on which each Member attended (in continuation of Parliamentary Paper, No. 0.172, of Session 1893-4)."—(*Dr. Farquharson.*)

## BUSINESS OF THE HOUSE (DAYS OCCUPIED BY GOVERNMENT AND BY PRIVATE MEMBERS).

Return ordered, "showing, with reference to Session 1894, (1) the number of Sittings on Tuesdays, Wednesdays, and Fridays at which Government Business had precedence; (2) the number of Sittings on Tuesdays, Wednesdays, and Fridays at which Private Members had precedence; (3) the number of other Sittings at which, in accordance with the Standing Orders of the House, Government Business had precedence; (4) the number of Sittings at which Government Business had precedence under a Special Order of the House; (5) the number of Saturday Sittings; (6) the total number of Sittings at which Government Business had precedence; (7) the total number of Days on which the House sat; (8) the total number of

Motions for Adjournment of the House on a matter of urgent public importance; and (9) the number of Days in Supply (in continuation of Parliamentary Paper, No. 0.83, of Session 1893-4)."—(*Dr. Farquharson.*)

## DIVISIONS OF THE HOUSE.

Return ordered, "of the number of Divisions of the House in the Session of 1894; stating the subject of the Division, and the number of Members in the majority and minority, Tellers included; also the aggregate number in the House on each Division; distinguishing the Divisions on Public Business from Private; and also the number of Divisions before and after midnight (in continuation of Parliamentary Paper, No. 0.171, of Session 1893-4)."—(*Dr. Farquharson.*)

## PUBLIC PETITIONS.

Return ordered, "of the number of Public Petitions presented and printed in the Session of 1894; with the total number of Signatures in that year (in continuation of Parliamentary Paper, No. 0.174, of Session 1893-4)."—(*Dr. Farquharson.*)

## SITTINGS OF THE HOUSE.

Return ordered, "of the number of days on which the House sat in the Session of 1894, stating, for each day the date of the month, and day of the week, the hour of the meeting and the hour of adjournment; and the total number of hours occupied in the Sittings of the House, and the average time; and showing the number of hours on which the House sat each day, and the number of hours after midnight; and the number of entries in each day's Votes and Proceedings (in continuation of Parliamentary Paper, No. 0.176, of Session 1893-4)."—(*Dr. Farquharson.*)

## PUBLIC BILLS.

Return ordered, "of the number of Public Bills, distinguishing Government from other Bills, introduced into this House, or brought from the House of Lords, during the Session of 1894; showing the number which received the Royal Assent; the number which were passed by this House but not by the House of Lords; the number passed by the House of Lords but not by this House; and distinguishing the stages at which such Bills did not receive the Royal Assent were dropped or postponed and rejected in either House of Parliament (in continuation of Parliamentary Paper, No. 0.173, of Session 1893-4)."—(*Dr. Farquharson.*)

## TRADE REPORTS (ANNUAL SERIES).

Copies presented,—of Diplomatic and Consular Reports on Trade and Finance, Nos. 1442 (Shanghai), and of 1443 (Nagasaki) [by Command]; to lie upon the Table.

House adjourned at twenty minutes after Twelve o'clock.

HOUSE OF COMMONS,

*Wednesday, 1st August 1894.*

**ORDERS OF THE DAY.**

**EVICTED TENANTS (IRELAND) ARBITRATION [GUARANTEE AND EXPENSES].**

Resolution reported ;

"That it is expedient to authorise the Treasury to guarantee advances, not exceeding £250,000, charged on the Irish Church Temporalities Fund, in pursuance of any Act of the present Session to make provision for the restoration of Evicted Tenants in Ireland, and to charge the sums required to meet such guarantee on the Consolidated Fund of the United Kingdom :

And to authorise the payment, out of moneys to be provided by Parliament, of any salaries, remuneration, and expenses which may become payable under the said Act."

Resolution agreed to.

**EVICTED TENANTS (IRELAND) ARBITRATION BILL.—(No. 176.)**

Committee. [*Progress, 27th July.*]  
COMMITTEE.

Bill considered in Committee.

(In the Committee.)

Clause 1.

THE CHAIRMAN : The first Amendment on the Paper is out of Order.

CAPTAIN NAYLOR-LEYLAND (Colchester) : On a point of Order, Mr. Mellor—

THE CHAIRMAN : Order, order !

MR. DARLING (Deptford) said, he wished to move the Amendment standing in his name. He had not had the advantage of hearing the Debate yesterday, and he was anxious in the humblest possible manner to assist the right hon. Gentleman in charge of the Bill to make it as good a Bill as possible, and to see if there was any real intention on the part of the Government to accept reasonable Amendments.

THE CHAIRMAN : I think the question raised by this Amendment has been decided, and it is therefore out of Order.

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[Several hon. Members who had Amendments on the Paper having been called upon, and none of them having endeavoured to move their Amendments].—

THE CHIEF SECRETARY FOR IRELAND (Mr. J. MORLEY, Newcastle-upon-Tyne) said, he wished to accept the Amendment standing in the name of the hon. Member for Fermanagh (Mr. Dane).

MR. BARTLEY (Islington, N.) : On a point of Order, Mr. Mellor, I beg leave to ask if this Amendment has not been passed over ?

THE CHAIRMAN : No, the right hon. Gentleman is quite in Order.

MR. HANBURY (Preston) : You called upon me, Sir, to move an Amendment which stands three Amendments after this.

THE CHAIRMAN : Yes ; but as no Amendment has actually been moved the right hon. Gentleman is perfectly in Order in moving this.

MR. J. MORLEY : Then I beg to move the Amendment. Of course, this is a Bill intended for the relief of tenants, and not for the benefit and relief of creditors.

Amendment proposed, in page 1, line 8, after the word "representative," to insert the words—

"Not being an administrator who has obtained letters of administration as a creditor."  
—(Mr. J. Morley.)

Question proposed, "That those words be there inserted."

MR. BARTLEY said, the fact that this Amendment which had come from the Unionist side had been accepted by the Government showed that some amendment of the Bill was really necessary in order to make it what it ought to be. He thought that was a fact which might be noted with some interest.

Question put, and agreed to.

MR. SEXTON (Kerry, N.) said, that in the temporary absence of the hon. Member for South Kerry (Mr. Kilbride), he wished to move the Amendment standing in his name—namely, in page 1, line 11, to leave out from "that" to "there" in line 12. He said that if the Amendment were adopted the clause would read as follows :—



"If in the opinion of the arbitrators the petition shows that there is a *prima facie* case for reinstatement owing to the circumstances of the district," &c., "they may make an order for such reinstatement."

This Amendment raised a question which he regarded as one of principle and of vital importance in regard to the probable operation of the Bill—namely, whether there should be a different procedure and a different measure of power accorded to the arbitrators in the case of vacant farms from that given to them in the case of those farms which had been tenanted since the former tenancy was determined. Perhaps, in order to make clear the import of the Amendment, he ought to explain the difference between the powers proposed to be given to the arbitrators in cases where farms had continued vacant, and in cases where they had been tenanted. In what he believed was the more common case—namely, that where the landlord, owing to the harshness and inequitable conduct of his own action and to the resolute state of public opinion in Ireland in reference to such action, had been unable to obtain a tenant for his farm either since the 1st of May, 1879, or since any later date when the farm had become vacant, the Bill proposed that the evicted tenant might petition the arbitrators. The arbitrators, if they thought there was a *prima facie* case for reinstatement—that was to say, a case of inequitable conduct on the part of the landlord—might make a conditional order for reinstatement. The landlord, on being served with a conditional order, was entitled to show cause against it within the prescribed period; and as the Rules to be made by the arbitrators must be approved by the Irish Privy Council, which was not a body unfavourable to the interests of the landlord, he presumed that ample time would be allowed to the landlord for the purpose. If the landlord succeeded in showing that there was not a good case for reinstatement the petition would drop as unsuccessful. In view of the various oblique allusions—allusions falling far short of direct challenge—which had been made in reference to the arbitrators, he must again point out that the chief of those arbitrators had been described by the Leader of the Tory Party as the leader of the Equity Bar in

Ireland. He had not heard from anyone on the landlords' side any objection to him. Perhaps if the Nationalist Members were disposed to be critical they might make some objection on their side. They did not propose to do so, however, because they thought the strength of the case of the evicted tenants was so great, and the public expediency of reinstating them was so strong, that no man whose mind was not closed to justice would refuse to reinstate them. This gentleman and the other arbitrator, who had both discharged important functions in connection with the Land Commission, had to determine whether the landlord had shown adequate cause against reinstatement. If he failed to do so the reinstatement was made. There was a power to have a fair rent fixed by the arbitrators, but the landlord could, at his option, have the question of fair rent determined by the Land Commission under the present law. If the landlord was unwilling that the tenant should be reinstated as tenant he might demand that the tenant should purchase. If he did this the arbitrators had to fix the purchase-money, and the order operated as if there were no agreement under the Purchase Acts. In view of the rancorous, sullen, and irrational opposition shown to this Bill by the landlord faction and by the Unionist Party, he did not think that public attention had been sufficiently drawn to the circumstance that where the landlord in the exercise of the right given to him by the Bill demanded that the tenant should purchase, the whole of the purchase-money was to be handed to him at once, and was not to be obliged to leave in the hands of the State the one-fifth of the purchase-money which had to be left in the hands of the State under the present law. This was a sketch of the provisions of the Bill in the case of a vacant farm. The Amendment he was now moving applied to the case of a farm which had been tenanted since the date of the eviction. He did not declare on his own opinion that even if the Bill were a purely optional Bill it would operate in many of the cases, even of the tenanted farms. He believed that the landlords and the new tenants in many cases were sick of the bargains they had made. The condition of affairs in regard to these farms



was deplorable, both as regarded the vacant and the tenanted farms, and was injurious to the interests of the landlords themselves. As to the vacant farms, the landlords were losing their rent—for it could not be pretended that a farm in the occupation of the landlord was being tilled—the tenants were losing their means of living, the locality were losing the rates, the State was losing the Revenue, and the community was losing the product of the land. With regard to the tenanted farms, and especially farms on estates under the Plan of Campaign, what was the state of affairs? In the first place, they were not *bonâ fide* farmers; they were mere servants of the landlords, or the agents of political combinations, who had been put in for a political and not agricultural purpose, some paying a nominal rent, some paying no rent, and often sustained in their position as bogus tenants by grants of money from Political Associations. They were familiar with many cases in which the tenant or the land-grabber, and especially the political land-grabber, did not even go through the farce of carrying on any agricultural operation. He did not apply the farm to any agricultural use; he was merely there as a political agent, and the question this House had to consider upon its responsibility was whether it would assent to the continuance of a state of things incompatible with social order and the maintenance of peace? He invited the House to consider, first, how this state of things arose; what was the origin; what was the cause of these evictions? It arose in no inconsiderable part from the hardness of this Legislature in discharging its functions towards Ireland. Many were evicted between 1879 and 1881, before the Land Act of 1881 was passed, many of them were evicted because the Land Act of 1881 was about to be passed; and the landlords chose to put them out in order, at the same time, to rob them of their property and to deprive them of the rights that the Legislature by the Act of 1881 intended they should have. Many were evicted between the passing of the Act of 1881 and the Act of 1887, the leaseholders who were labouring under excessive rents. If the Land Act had proved one thing more clearly than

another it was that the leaseholders of Ireland were struggling and staggering under heavier rents than tenants from year to year. In 1881, the Liberal Party, deterred by the opposition of the Tory Party, did not secure the leaseholders in their rights, though the Tory Party, driven by the Plan of Campaign, included them in the Act of 1887. After the Act of 1887 had passed, containing as it did the section known as "the eviction made easy clause," many hundreds of tenants were evicted, deprived of their tenancies, and ceased to have any interest in the soil. What happened to them? He had explained to the Committee, but might mention it again, and he hoped hon. Gentlemen would bear it in mind, that before the Act of 1887 was passed the tenant in Ireland, whatever might have been the tenancy, could not be deprived of his legal interest in the holding until the Sheriff came and expelled him from his holding, and after that expulsion he had six months within which to redeem his interest in the farm. But the Act of 1887 proposed for the first time, in the long series of cruel Acts this Legislature had passed, that the interest of the tenant might be determined, and he might cease to be a tenant by the receipt of a registered letter intimating that judgment had been given against him in the Court. Nay, more; it was not necessary the notice should be served on him, because on a motion in Court the notice might be posted at some public place, some police barrack in the district, and upon the posting of the notice, perhaps 10 miles from the farm, the tenancy, by the mere fact of the posting under Section 7 of the Act of 1887, became determined; from that moment the tenant was divested and despoiled of his rights and his property as tenant, and became on the instant a caretaker, and on the expiration of six months his right of redemption ceased. He was aware, from the best official testimony that was laid before them, that in the last year or two hundreds of tenants, especially in the West of Ireland—poor illiterate men, men in the humblest condition, men, many of them, unable to speak the English language, living in districts where English was not spoken, came into Court with originating notices, notices they had served before

the tenancy was determined, but which, owing to the delays of the law, did not come to the point of trial, and when they came in he had heard the Land Commissioner declare that no more painful duty fell upon him than his endeavour to explain to these poor illiterate men that their tenancies had been determined, and that they had been made caretakers on the posting of a notice many of them were unacquainted with. That was the way in which these farms had been vacated, and they knew in the struggle of the last few years Associations had been formed of Irish landlords, aided by wealthy English landlords, and that these associations had been amply provided with funds for carrying on the struggle against the tenants; that by the use of these funds men had been brought from other parts of Ireland, even from places outside Ireland, and put in these farms as tenants. He dared say that the new tenant might be inclined in many cases under this Bill to surrender his tenancy, especially if compensation was paid; but in the case of the Plan of Campaign estates, where the struggle had been fierce and long, in the case of men like Lord Clanricarde and others who spurned their own countrymen, who were so wealthy as to scorn the loss they might sustain, who seemed to take a delight in tyranny for its own sake—in the case of such men he apprehended that unless some pressure was brought to bear by this Legislature, mindful of its responsibility in the case, both upon the landlord and the new tenant, that the Bill, so far as they were concerned, might prove to be inoperative. Let them picture to themselves the future prospect of peace—and that was a question for all Parties and a question for this Legislature to deal with. What was the prospect of peace in the district where the old tenants had been cast out in numbers, where men from other parts of the country had been placed in their stead, and where the old tenants and their families for years had been living in the vicinity of their holdings, hoping for the day of their return, trusting in the sense of justice of this Imperial Legislature? Let them picture to themselves, he said, the prospect of peace, if that hope was dashed to the ground. What did the eviction of those old tenants mean? Did

it mean no more than what it would be in England or Scotland? That was one of the terrible difficulties in the way of dealing with the Irish question, and in what was practically a foreign House, unable to understand the conditions. Some of the Members of this House were willing to understand them; some would make no effort to understand them; others with the best intentions, with the most sincere desire to come to the assistance of the Irish tenants, were unable to appreciate the conditions of life, so absolutely different were they, though only a few miles of sea separated Ireland from England, to what prevailed in England. The tenant in England had no interest beyond that of an ordinary tenant, and if he was turned out or chose to go he took his capital with him to another country, where any man with energy and a little capital might not want for a living. To an Irish tenant to be turned out of his holding is a sense of banishment; he had no other means of living, and eviction took from him not only his means of living, but every penny he was worth was in his holding. The tenants in Ireland had brought the farms from a state of nature; the landlords, as a general rule, never spent a single sixpence upon them, and if they took the ordinary tenant they took the man in whose farm was sunk not only what capital he had, but the capital and labour of generations who went before him. Was it justice, under such circumstances, to evict a man for one or two years' rent? He had examined the Campaign Estates Return, and he found that, notwithstanding the declarations of the hon. and learned Gentleman who had run from the fight, the Member for the University of Dublin (Mr. Carson), that the annual rental of the Plan of Campaign estates was £28,000, and the tenants were evicted for £59,000. He had examined other Returns, and found very much the same result—that these tenants by the hundreds and the thousands had been turned out for an arrear of two or three years' rent. Was the Committee aware that the tenant in Ireland could go into the market, when he was allowed to go into the market—which he could not always do as in Ulster—and sell his interest in the holding for 15 or 20 years' purchase of the

rent, so that they had it that in Ireland the interest of the tenant in his holding was usually as valuable and often more valuable than the freehold. Would hon. Gentlemen suffer these men to be robbed of that interest; would they suffer the landlords who ran before their Acts of Parliament, who took advantage of the delay of the law, to rob these tenants who possessed so valuable an interest, and to be evicted for two or three years' arrears of rent? The landlord on the one hand and the land-grabber on the other were the partners in an act of appropriation and plunder. He had said that in many cases these were not inhuman tenants, and they were willing to put words into the Bill, if this subject should be reasonably considered by the House, which should make it clear that the arbitrator should have power to consider whether these were *bonâ fide* tenants or not, or whether they had a substantial interest in the holding, but where they were mere agents and instruments of revenge he certainly pleaded they ought to be excluded by the Act. No harm was done to any equitable right, and he ventured to submit to the Committee that if it be true upon the one hand that pressure was placed by public opinion upon these men to surrender their tenancy of these farms, there was also pressure upon them from other quarters to remain. Those who did not think of equity, who had no respect for the past of Ireland, who were working this question for sinister ends in a rancorous spirit of political faction, might ask these men to remain, and, therefore, he thought that for many of these men they would do a good personal act by directing them to go, because if they put in the Bill a direction to them to go, they put an end to pressure from one side or the other, and many of these men might be under such pressure that without such a decision they could not but insist on remaining, but who would be glad to go on receiving compensation. He ventured with confidence to submit this Amendment to the consideration of the Government. The Government had seen the spirit in which the Bill was opposed; they knew that almost at the moment of its introduction they were threatened with the House of Lords; they would recollect that in recent years they conducted their Debates in this House on all matters

relating to Ireland under the shadow of a threat of the action of the House of Lords. In a country which they were told was free the Representatives of the people were constantly insulted by threats of the action of an Unrepresentative Chamber. He said let the House of Lords try it—let them do their worst. If they would, they knew the consequences that followed the *Compensation for Disturbance Act*. The *Compensation for Disturbance Act* was so far from being a benefit to the House of Lords, that it had been turned into a weapon which they had used to great effect, and it was a great pity that the Government of Ireland were so much more than ready to surrender before the first of the worst was done. He thought that the Government were to offer to the Irish people a gift of a Bill to put the action of the House of Lords at naught, and that they were to do this in a way which would be a great benefit to the Irish people, and that they were to do this in a way which would be a great benefit to the Irish people, and that they were to do this in a way which would be a great benefit to the Irish people.

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which my hon. Friend referred to, and which he called the attention of the Committee to; I quite admit if in those cases the evicted tenants are not secured, to that extent the policy of the Bill will have failed. After all, my hon. Friend came, towards the end of his speech, to a proposition that shows the difference between him and his friends and the Government. The difference between the object he has in view and the machinery which we have provided in the clauses we have introduced is not so serious in its moral effect and working as might appear, and as the hon. Gentleman apparently appears to imagine. He admits he is willing to give power to the arbitrators to say whether one of these new tenants is a *bonâ fide* tenant or not, and whether he has or has not a substantial interest in the holding. My hon. Friend makes that an issue. Now, what do I say on the other side? I say that in my expectation where the new tenant is, in my hon. Friend's language, not a *bonâ fide* farmer, and where he has not a substantial interest in his holding, that in that case the new tenant will be found willing to go, and that we have made a provision for those cases in some clauses of the third clause. I do not know whether my hon. Friend realises how far this third clause goes to meet that view. His view admits that if the new tenant is a *bonâ fide* farmer—has a substantial interest—that in that case he admits he is willing to allow the arbitrators to decline to make an absolute order. I contend that such a change as my hon. Friend's Amendment would make in the Bill is not necessary, because—and I repeat it—these tenants who are not *bonâ fide* and have not a substantial interest would naturally be willing to go upon the terms provided in the Bill. I would remind the Committee of what the Mathew Commission says on this difficult subject. Their recommendation was this: The Commission—that is to say, either the Land Commission or a Special Commission—should have power upon the application of the evicted tenant to inquire whether the new tenant has a substantial interest in the holding, and when it shall appear there is no such interest to reinstate the former tenant on such terms as may seem just. That is a provision that will satisfy my

hon. Friend. Then they went on to say the Commission should be able to ascertain the terms, if any, on which a new tenant or purchaser having a substantial interest may be willing to surrender it to a former tenant, and, if they think the terms reasonable, to assist the evicted tenant by making a grant of half the amount. We have considered, as carefully as we could, in the light of opinion and experience in both cases, and we were of opinion the first recommendation of the Commission, apart from its impolicy, was not required. I will give one or two illustrations of the class of cases with which, in connection with this matter, we might deal. I have had a Report made to me of the admission of new tenants on some of the estates—I will not mention them by name—into which the Mathew Commission inquired, and others in which it is likely the new tenant, as we think, would undoubtedly avail himself of the power to bring the matter to the notice of the arbitrator under the third clause. These are cases that have been carefully considered, and this is the kind of instance: In one instance the case is that of the son of a small farmer in an adjoining county. He has very bad land and cannot make it pay. The Committee may wonder why if the land cannot be made to pay the evicted tenant should be wanting to go back. To those who are acquainted with Irish agriculture such a difficulty would not present itself. Another case is that of a man who also could not make it pay. I have a considerable collection of cases of that kind. There are, on the other hand, a few men on these estates who have got a substantial interest in their holdings which they would be sorry to sacrifice. It will, of course, be the duty of the Government to use every means in their power to protect these men in the positions they have taken. Let there be no misunderstanding on this point. We are considering not a matter of police, of law and order in its narrow sense, and I do not believe the object of my hon. Friend itself would be better carried out or so well carried out by the Amendment he wishes to introduce into the Bill as it would be by the natural willingness of these men, who are not *bonâ fide* farmers, and who have no substantial interest, to leave on the terms that were open to

them in the Bill. My hon. Friend opposite has given a very eloquent and very useful explanation of some of the peculiarities of the Irish system. I will point out to him and to gentlemen who sit around him that to have loaded a Bill which is already, at the best, an extremely difficult Bill to commend to the comprehension of this House, where the conditions of Ireland, either momentarily or permanently, are so ill understood, even in its present moderate form—to have loaded it with further clauses embodying such a view as I know is held not only by hon. Members in this House, but by a great body of Irish tenants, and going further in that direction than we have done, would have been to expose the Bill to defeat in this House, and would have given better grounds than exist for action against it elsewhere. What was the argument which was always received with cheers from those Benches which now present such an interesting appearance? That argument always was that this was not a reinstating but an evicting Bill. There is no doubt if we were to accept the Amendment of my hon. Friend, we should leave it open to gentlemen who oppose the Bill to say, "You are compulsorily evicting tenants who are there with a title which, though Irish opinion may not recognise it, is a legal title," and to ensure the destruction of the Bill. But I must go a little further. Let us suppose the Bill had been carried containing such a provision as this Amendment aims at. Suppose it was carried through both Houses and became an Act of Parliament? I, for one, should certainly not contemplate it with equanimity. In view of the sullen and jealous eye which England always keeps upon all doings in Ireland, I should not have looked forward with equanimity to the necessity, if I had remained in Office, of carrying out on behalf of the Government what would have been neither more nor less than an evicting campaign, because undoubtedly if this provision were inserted in the Bill it would have necessitated—not over a large area possibly, but certainly in a good many cases—the Government entering upon an evicting campaign. That is a matter for consideration from the administrative point of view. I have pointed out objections from the point of view of policy; I have pointed out that

this Amendment would be superfluous, in view of subsequent provisions, for achieving the objects which my hon. Friend has in his mind, and therefore, though I find myself departing from the views of my hon. Friends, I feel bound to do so in the interests of the Bill and of the policy which is common to us and to them.

MR. KILBRIDE (Kerry, S.) said, he should be failing in his duty to the evicted tenants of Ireland if he did not avail himself of the very first opportunity of raising this question of the new tenants. He noticed that in the speeches which had been made upon this Bill they had been asked to have perfect trust in the Commission of Arbitration. He was not personally acquainted with any of the Arbitrators, but still he trusted them and wished to widen the scope of their Reference. He wanted to see this social and administrative difficulty in Ireland finally settled. The Chief Secretary for Ireland had said that every tenant was likely to get back who could make out a reasonable case. He knew cases on one of the estates inquired into by the Mathew Commission where some farms were occupied by new tenants and others were in the hands of the landlord. As he read the Bill, in the case of the farms in the hands of the landlord, the evicted tenants would have the right to be reinstated, while, in the case of farms which were occupied by new tenants, the evicted tenants would have no rights whatever under the Bill. But, were not the equitable rights of the evicted tenants the same in both cases? Why, then, did the Chief Secretary differentiate between two men with the same equitable rights, because one man's farm happened to be grabbed and the other man's happened to be worked by the landlord? His Amendment raised the whole question as to the equitable rights of a tenant whether the farm was in the hands of the landlord or the new tenant. The right hon. Gentleman had said that any evicted tenant who could make out a reasonable case was to be reinstated. Many of these farms were not in the hands of new tenants, and were not worked by the landlord, but were being worked by political organisations. How many were worked by the Land Corporation, and how many were worked for political purposes? How much



money had the hon. Member for South Tyrone collected in this country to enable some of these so-called tenants to occupy the holdings they now occupied? These men were put into occupation for political purposes, and was he to be told by the Chief Secretary that in no case where the land was in the hands of some of these political organisations could this Board of Arbitration inquire into the case? There were innumerable cases where the bogus or so-called tenant was simply an agent for the Land Corporation or some other political body in Ireland, and under the Bill the Arbitrators would have no power or right to inquire into such cases every one of which he excluded from their purview. They were told that this Bill was an amnesty for those who had suffered in the land war; but was this amnesty to be confined to certain cases? He admitted that there might be one or two genuine new tenants. He knew very few of such new tenants, but he did know of the case of a man who was financed and enabled to become a new tenant by the organisation at the head of which was the hon. Member for South Tyrone. That man was financed by English money, subscribed by English landlords, who dreaded the onward march of land reform in Ireland, and were apprehensive lest it should spread to their own side of the water. One of these men financed by the hon. Member for South Tyrone was a purchaser. His annual instalment to the English taxpayer was £28, whereas the rent of the old tenant was £60, so that he occupied the farm for 50 per cent. less than the annual payment the old tenant had to make to his landlord. What did this new tenant do two years ago? He went into the office of a solicitor in the local town and had a letter written to the evicted tenant. He wanted to know what the evicted tenant would give to get his holding back. This was the case of one of those new tenants who, the Chief Secretary said, the moment the Bill became law would not continue in the farms. He doubted that statement very much, and he said that while he knew there were many of these bogus tenants anxious and willing to obtain something for getting out of the holdings it would depend largely upon the amount of political capital that

could be made by the right hon. Gentleman's political foes in Ireland whether these men should be kept there in order that this social and administrative difficulty might be continued. None of the landlords' associations had ever made any money. These were instituted to fight the cause of the landlord *versus* the cause of the Irish tenant. What right had he to suppose that the moment this Bill became law these political organisations would disappear from the field. If the Conservative Party believed that political capital could be made out of these bogus tenants for the next General Election, they would not be averse to paying them to keep their occupation of the evicted farms, and so prevent them from coming under the operation of the Bill. The object of the Amendment was to widen the scope and enlarge the field of discretion which they had already given to the Arbitrators. They were told to have confidence in these three gentlemen, and he had confidence in them. But if everybody had confidence in them why hamper them in their inquiry? Was this going to be a settlement, or was it not? It was admitted that there was a social and administrative difficulty in Ireland; then why not permit the Arbitrators to deal with the whole question? The British House of Commons would never take the advice of the Irish Members. Because they would not take their advice they had to pass the Act of 1881. They refused to do so in 1886, and they had to pass the Land Act of 1887. The House of Commons never took the advice of the Members from Ireland. They would not take it now, but he warned them that within the next two years, if the House did not deal with this social and administrative difficulty by Bill, it would settle itself. As an Irish Member and a man who loved his country, he did not want to see the difficulty settled otherwise than by Act of Parliament. The House of Commons must cope with the reduction of prices and the restriction of produce, or early next year they would have to be engaged in another Land Bill for Ireland. He noticed that one subject the right hon. Member for West Birmingham talked about was the Protestant new tenants. He had himself some knowledge of the Protestant new



tenants, and would proceed to tell the Committee one fact. He knew an estate in Ireland largely occupied by Catholic tenants, every one of whom was a member of the combination. After half of them were evicted they were offered terms, which were that they should buy their holdings at 18 years' purchase. But if hon. Members would look at the Schedule of the Mathew Commission they would find that the Protestant tenants bought at 13 years' purchase, whilst the Catholic tenants were required to pay 18, or a difference of five years. Was that a fair way of dealing with the matter? He knew that the Protestant tenants did not go on strike, and these were the rewards they got through the sacrifices and sufferings of the Catholic tenants who did go on strike. The Bill, as it stood, only provided that the Arbitrators could inquire into the cases where the land was in the hands of the landlords. He would like the Chief Secretary to tell them how many cases there were where the land was not in the occupation of either a new tenant or the landlord, but was in the occupation of the Land Corporation or some other political organization? He supposed if the Bill passed in its present form all these cases would be excluded from the purview of the Arbitrators, and he was desirous of bringing under the discrimination of the new tribunal every case in which a political organization, established for the purpose of making capital for a political Party, held the land. He hoped the Government would see their way to adopt the Amendment.

MR. J. REDMOND (Waterford) thought it was well that this question had been raised at such an early stage, as it was probably the most important which would come up for consideration on the Bill. He would in two or three sentences make an earnest appeal to English Members to see whether they could not vote in favour of an Amendment the object of which had been explained with great clearness. The Bill provided that where the land was in the occupation of a landlord that then the arbitrators were to be empowered to investigate the question as to whether the tenant ought not to be restored; but where the land hap-

pened to be in the occupation of a new tenant, then the arbitrators were to be estopped if the new tenant objected to the making of any order to restore the old tenant to the farm. The argument which had been used, that the discretion of the arbitrators should not be limited in this way, was one which he thought was very difficult to answer. He must say he regretted that the Chief Secretary had intervened at such an early stage of the Debate. The right hon. Gentleman had not made a very strong or vigorous speech in opposition to the Amendment; in fact, he did not think he should be doing any injustice to the right hon. Gentleman if he said that the objection he entertained was upon grounds of expediency rather than of principle. It was certainly a matter for regret that he had intervened before he had heard all that could be said by various Members in support of the Amendment. The object of the Bill, as had been stated by the right hon. Gentleman, was to remove a social and administrative difficulty which existed in Ireland, and the right hon. Gentleman the Chief Secretary had proved by the speech which he had just delivered that if a number of the new tenants insisted upon clinging to their holdings which they had got after the former tenants had been evicted, so far, at any rate, the Bill must be a failure. It had been stated that there were some 1,500 of these new tenants, and there was no question that there was a very large number of them. The old tenants in most cases lived in the immediate neighbourhood of the grabbed farms, and it would be hard for the right hon. Gentleman the Chief Secretary, or for any English Member, to answer the argument put forward by the hon. Member for North Kerry, who asked whether these old tenants, living in the immediate neighbourhood of the farms from which they had been evicted, could be expected to remain peaceful and quiet if they saw their neighbours restored, whilst reinstatement was refused to them. He remembered a famous speech—which had been so often quoted that it had almost become hackneyed, made by the President of the Local Government Board (Mr. Shaw-Lefevre) in Ireland, in which he said—

"Within three months of the present Government coming into power the land-grabber would, either by legislation in that House or in some other way, be resolved into his original elements."

He thought that was the phrase of the right hon. Gentleman. What was the meaning of that statement? It meant that the land-grabber should be got rid of if the social peace of Ireland was to be preserved. In the Bill before the House the Government did not propose to remove the land-grabber by legislation. Therefore, the right hon. Gentleman the Chief Secretary must be of opinion, and every honest man must be of opinion, that if the peace of Ireland was to be preserved the land-grabber must be got rid of in some other way; that was to say, that public opinion must be brought to bear to get rid of the land-grabbers if the peace of Ireland was to be preserved. The Chief Secretary said he shrank from entering upon an eviction campaign against these new tenants. Surely the right hon. Gentleman who was responsible for the peace of Ireland would shrink still more from an uprising of public opinion directed against the new tenants which must be inevitable if the Bill was passed and the men to whom he had referred were excepted from its operation. As he had already said, he thought the right hon. Gentleman's objection to the Amendment was based rather upon grounds of expediency than of principle, because he did not say that it would be unjust to evict the new tenants and to restore the old tenants. He could not say that, because he and his supporters had voted in favour of Mr. O'Kelly's Bill, and whilst he admitted that a vote in favour of the Second Reading did not imply that everyone so voting approved of every detail in the Bill, he contended that they could not have voted for the Second Reading if they had objected, as being unjust, to the principle of a Bill one of the leading provisions of which was that no exception should be made in favour of new tenants, but that they should be treated on precisely the same principle as where farms from which the old tenants had been evicted were in the occupation of the landlord. Therefore, the Chief Secretary could not take the objection that this Amendment would be unjust, and he did not

take the objection that it would be unjust. He had based his objection entirely upon the ground of expediency. He would appeal to fair-minded men who took an interest in the Bill whether the argument founded upon expediency was a wise or a sound argument. "If," said the Chief Secretary, "we had overloaded this Bill by putting into it this provision, the Bill would have been destroyed." So he had kept this provision out of the Bill in order to conciliate the Opposition! Had it had that result? He had kept this provision out in order that the Bill might become law. Did the Chief Secretary believe that he had in the slightest degree increased the chance of the Bill becoming law by the course which he had taken? Nothing of the kind. What he had done would disappoint the hopes of a large number of tenants in Ireland who believed that they had a just claim for restoration to their holdings, and would make the Bill so halting and ineffectual in its character, that if it were passed into law it could not possibly cure the social and administrative difficulty to which it was directed. If the right hon. Gentleman would not accept this proposal in the interests of peace in Ireland, he would urge most strongly upon hon. Members opposite to vote in favour of the Amendment, which they were discussing under the most peculiar circumstances. He was aware that it had been confidently stated that the Bill was certain to be rejected on the Second Reading in the House of Lords. Whether that were so or not, at any rate if the House of Commons passed the Bill containing a provision such as that which it was now sought to insert, making it apply, subject to the discretion of the arbitrators, to all classes of tenants, even that fact would go a long way to assist the Chief Secretary in preserving peace in Ireland. But if the Bill were passed by the House of Commons in such a defective condition as to exclude those cases which lay at the very centre of this Irish trouble, where the evicted farms had been taken by others, then he confessed that he thought the prospects of the right hon. Gentleman preserving peace in Ireland would be much less certain than if he had gone the length of evicting the new tenants. He would earnestly im-

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press on Members opposite to cast their votes in favour of an Amendment which the Chief Secretary did not affect to say was unjust, but his opposition to which was based, if he (Mr. Redmond) might say so without offence, upon the ridiculous ground that he would promote the chance of the Bill passing into law by conciliating the Opposition. By so doing the Liberal Members would prove their desire to do justice all round, and show their willingness to deal in a thorough manner with an admitted evil.

MR. DILLON (Mayo, E.): I do not propose to address the House on the subject of this Bill without asking their permission to express on my own behalf, and on behalf of my colleagues who sit round me on these Benches, the gratitude which we feel to the right hon. Gentleman the Member for Bodmin (Mr. Courtney) for the speech he delivered in this House yesterday. It was a speech the effect of which, I venture to say, will not pass away for many a long day. As an Irish Nationalist, and as one who is deeply convinced of the necessity of setting up a Parliament to manage Irish affairs, I recognise in the Member for Bodmin one of the most dangerous enemies we have in this House, because, indeed, we might begin to entertain some fears for the future of the cause of Irish self-government if this House approached the consideration of Irish grievances and Irish difficulties in the spirit in which it was approached by the right hon. Member. But many a long day must elapse, judging from the reception which that speech met with from his colleagues and those who sympathise with his political views in this House, before he will succeed in impressing upon the Unionists the enlightened and sympathetic views which he expressed in that speech. There is just one other matter before I address myself to the subject now under discussion that I would ask leave to say a word about. There has been repeated for the twentieth or thirtieth time sneers, and what appeared to me to be unjust observations, in reference to the right hon. Gentleman the President of the Local Government Board (Mr. Shaw-Lefevre). It has been insinuated, and it has been made a matter of charge against that right hon. Gentleman that he has run

away from certain expressions of sympathy in speeches which he delivered in Ireland in support of the cause of the evicted tenants. He was asked the other day in the House why, if his wishes as expressed in those speeches were not carried out, and the cause of the evicted tenants taken up and properly dealt with within a few months after the Government with which he is connected came into Office, he did not retire from the Government. I say on behalf of the Irish evicted tenants and the Irish National Members that we recognise in the right hon. Gentleman a consistent, wise, and brave friend of the evicted tenants. He came over to Ireland at a time when it was not by any means a safe or agreeable task for a man in his position, and I say that so far as I am made acquainted with his connection with that movement in Ireland, and I am intimately acquainted with it from the day on which he came over to Ireland down to the present hour, his course has been consistent, has been honourable, and has been brave. He has most effectively pleaded the cause of the evicted tenants, both on the platform and in the publications he has from time to time given out, and he has stated their cause with admirable lucidity and in the most becoming manner; and, as the right hon. Gentleman is a Member of the present Government, we, the Irish Members, look upon his presence in the Government as one of the pledges that the cause of the evicted tenants will not be ignored. And if at any time—which God forbid!—this Government should turn its back upon the evicted tenants in Ireland, I confess we would look to the right hon. Gentleman with confidence to play the part of an honourable Englishman, and to stand by that cause even if his position in the Government were at stake, and I do not think we would be disappointed. If the right hon. Gentleman has remained in the Government, it is because he believes, as we believe, that the Government, considering all the difficulties they have had to face, have up to the present done what they could to bring this matter to an issue. Now I come to the subject of this Amendment. We have had in the course of the discussions which have taken place before the events of Tuesday night the question raised over and over again, whether it would

be better to have compulsory clauses in this measure, or whether it ought to be a purely voluntary measure. A number of gentlemen have stood up in this House and said, "We admit, as you said, that this evil exists; we admit, as you admit, that in the interests of Ireland and of the Government in this country, it ought to be met and dealt with. The only point of difference between us is whether it would be best, and most justly, and most effectually dealt with by a voluntary or by a compulsory Bill." Nearly all the Members of this House, except a small number of irreconcilables, admit the grievance and admit that legislation is urgently needed to cure it. Yet we have the unparalleled spectacle presented to us, unparalleled for nearly 100 years in the English Parliament, of the whole Opposition leaving the House and refusing to engage in the discussion of a measure which they admit to be necessary for the good government of Ireland. If any lesson was wanted to bring home conviction to the mind of every Englishman that this House is utterly incapable of dealing with Irish questions, the spectacle of the Opposition Benches to-day would afford it. Let me direct attention for a moment to the relative merits of the compulsory principle of this Bill. I do not believe there is a Member sitting round me on these Benches who would not rather settle this matter by a voluntary method if it could be so settled. The whole question is, whether you can believe, in the light of past experience, of the facts laid before you, that a voluntary Bill is likely to produce such results? I cannot, for myself, imagine for a single moment that gentlemen who have advocated a voluntary Bill in settling this measure, if they were convinced that a voluntary Bill would not settle it, would still refuse to grant these compulsory powers. Let us see for a moment what are the facts before us on which we have to form a judgment. In 1891 the voluntary principle was put before the House by the then Chief Secretary for Ireland, who, as the present Chief Secretary does now, admitted the evil and the necessity for a remedy. True, he would not go so far as to give compulsory power against the landlords, but he did this—he offered to pledge the resources of the British Exchequer to re-

instate these very men whom we have heard denounced so much. The British taxpayers were asked, in the interest of good government, to lend the credit of England in order to restore the evicted tenants. We have had the experience of three years, and we now know beyond all question of controversy that the voluntary system has been tried and has failed; and that the evil exists in as bad a form as ever, if not in an aggravated form. An attempt was made to charge us with having obstructed the operation of the voluntary principle. I am glad to take this opportunity of saying that there is not a shred or shadow of foundation in that charge—that we in any way exercised our influence to block or obstruct the working of Clause 13 of the Act of 1891. On the contrary, what are the facts? In the few instances where the clause did come into operation we were appealed to, and I myself, and others of those around me, exercised all influence when appealed to by the tenants to aid them to get the benefits of the clause. We voted money out of our exchequer, although it could be ill spared at the time, to assist the tenants; but in spite of the fact that the Nationalist leaders used all their influence to aid the working of that clause, we found that it was a failure. I do not want to enter into any recriminatory matters to show on whose head the blame must really fall of the failure of the voluntary principle in Clause 13, but I say the reason was because it was impossible to come to terms with the landlords, and because, as was pointed out by the right hon. Gentleman the Member for Bodmin, the very landlords who have it in their power to say "nay" to the operation of any voluntary system are the unreasonable and irreconcilable landlords. They are the men represented by the irreconcilable body in this House who have done everything in their power, and I am afraid have gone a long way, towards wrecking this scheme for the settlement of this question in Ireland—these are the men whose consent would have to be obtained to the working of any voluntary system whatever. Therefore, I wish to point out that if we desire compulsory powers to be given in this Bill it is simply and solely because we fear that the voluntary system would not work, and that we

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should be obliged to raise the question again. The present Amendment seeks to extend, to some degree at least, compulsory powers to the arbitrators to deal with the new tenants in Ireland. In dealing with this Amendment I want to say this—I think this far too grave a matter, involving terrible interests in Ireland, which may be the starting-points of such serious events in that country, that I would appeal to all my friends and to all Members of this House to approach it without using strong language or language calculated to excite the House. We have now been freed for good or evil from the presence of gentlemen who set themselves deliberately to rouse in every form bitter recollection and passion in the discussion of this matter. I wish to approach it as calmly and as moderately as I can, and I do recognise that in dealing with this Bill and in discussing this Amendment we have to consider what is within the power of the Government as well as what we desire. We have been frequently charged with being extremists and irreconcilables. Well, the way to make men irreconcilable is to show them that they will get no consideration whatever. If their arguments are addressed to deaf ears, if the people subject to oppressive laws see there is no sympathy for their sufferings, you cannot expect them to be reasonable; but when we are met in a reasonable spirit, and when a responsible Minister, such as the Chief Secretary for Ireland, says he is desirous of dealing with this great social difficulty, we, for our part, I think, ought to be willing, and we are willing, to make the most ample consideration for his difficulty. And, therefore, I say we ought to approach the consideration of the Amendment with a full sense, in the first place, of the great responsibilities which are placed upon all of us in dealing with a measure touching so deeply the interests of Ireland and the peace of that country, and, secondly, with a full feeling that we owe to the Chief Secretary a frank and liberal consideration for the difficulties which he is placed under, as he has also shown, I think, a desire to consider the difficulties of our position. On this Amendment I wish to draw the attention of the Chief Secretary to some of the classes of tenants whom we wish to have brought within the scope of the operation of the

arbitrators. So far as I go myself, I am chiefly concerned not so much for the action of the new tenants, if they were left free and uninfluenced by sinister counsellors behind them or by their employers, as for the action of those tenants influenced and directed by the men who placed them where they are. We believe that very many of them are simply *employés* of the Landlord Corporation or the Emergency Association, and of Members of this House who, from political motives, desire to frustrate this Bill and create political difficulties round the Secretary for Ireland, and who may, therefore, offer inducements to these so-called new tenants to stick on and refuse to give up their holdings. Let us look for a moment on what the character of some of these tenants is. The contention that we make is that there are on some of these estates a vast number of men who are in no true sense of the word tenants, but who are political agents of one kind or another put there for the purposes of the land war. I will take a most remarkable article dealing with this very point which is published by the hon. Gentleman the Member for South Tyrone in the *New Review* of this month, and I would ask hon. Members to keep in mind, in connection with the extract which I am about to read, the description of the planters on the Massereene and Coolgreany estates. When these estates were planted it was asserted that these men were *bonâ fide* farmers possessing large interests in their farms. Now let us see what is the opinion of that man who in all Ireland is able to give us authentic information as to the origin and nature of this thing. He says—

“The planters are wholly confined to the Massereene and Coolgreany estates. They were placed there as an act of war; they were deliberately helped with money and material to fight the Plan of Campaign, and they constitute a distinct but small class.”

There is the class who were described as *bonâ fide* tenants, who were described as men who had large interests in their holdings, who were paying their rents regularly, and they are now described by the man who gave them assistance as men placed in these farms as an act of war to fight the Plan of Campaign. I ask you, would it not be a deplorable thing if it would be in the power of any

Organisation or Association in Ireland who have these men in their employment, and who gave them large bribes, if they by any inducement could persuade them to remain on for the purpose of keeping up disturbance and trouble in the country? Here is a very instructive case that came into my hands a few days ago, and which has reference to a farmer who had been planted on the Clanricarde estate in Galway two years ago. This farmer obtained on the Clanricarde estate no less than five farms belonging to five evicted tenants, and retained these farms for, I think, two years, and yet within the last three months that man was unable to pay a year and a half's rent, and he came into Portumna and offered to sell the whole five farms to one of the old evicted tenants for £125. That is a case that cannot be denied. If anybody attempts to deny it I will substantiate it beyond all question. And yet that tenant is in occupation still, the bargain not being concluded owing to the fact that there was some trouble amongst the old tenants.

MR. ROCHE (Galway, E.): And a new house was built on these farms within the last two years.

MR. DILLON: Would it not be intolerable that a great scheme like this should be at the mercy of a man like Lord Clanricarde by enabling him to keep this bogus tenant in occupation if he had the malicious intention of keeping up trouble and disorder in the Woodford district, simply for the purpose of spiting the Government? Is there any man in the House who has studied the history of Lord Clanricarde's operations who does not know that there is not only a possibility but even a likelihood of that? I would hope, therefore, that some plan might be devised between ourselves and the Government by which some words could be introduced in the Bill which would give the arbitrators the power of investigating whether the alleged new tenant is a *bonâ fide* tenant or not. I see the Chief Secretary's difficulty, and for my part I would be most unwilling to do anything which would endanger the passing of this Bill or add to the difficulties of the Government in passing it, but I trust some plan may be discovered by which the power of the arbitrators may be extended to enable them to make

some inquiry as to whether the new tenant is a real *bonâ fide* tenant of the holding.

\*MR. WEBB (Waterford, W.) said, that he desired to join the previous speaker in his commendation of the speech of the hon. Member for Bodmin. It was because he (Mr. Webb) believed such counsels would here never be listened to that he deemed this Parliament would ever prove inefficient to minister to the wants of Ireland. He did not desire to hold the President of the Local Government Board to the exact words he had used in Ireland regarding evicted tenants. They were spoken at a period of extraordinary storm and stress. He recognised in the right hon. Gentleman one of the best and most consistent friends of his evicted countrymen. He wished to refer to an article by the Member for South Tyrone in this month's *National Review* as affording evidence of the necessity of the agitation and the measures which led to so many tenants now being homeless. What they had to consider now was whether tenants evicted under the old principles that were maintained up to the passing of the Land Acts of 1881 and 1887 should be reinstated now. He thought they should, leaving as little sore feeling behind as possible. Under the circumstances, he thought the Government should consider whether it would not be wise to accept the Amendment.

MR. W. REDMOND (Clare, E.) said, the Bill had been already so well considered, and everybody was so anxious to see it disposed of as soon as possible, that he would add but little. He must express his disappointment at the action taken by the Government in regard to the evicted and grabbed farms. On the introduction of the Bill he had pointed out that its unsatisfactory feature was the total failure to grant relief to these unfortunate people, who had had their farms taken by grabbers. The number of farms now occupied by new tenants was estimated at 1,500. Those farms would not be dealt with at all by the Bill. As an hon. Member for Kerry, himself an evicted tenant, he pointed out it would be impossible to make those poor people understand why their interests should be entirely put aside, and that, as he would not like to enter upon

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an eviction campaign, the best thing to do in the interests of peace in Ireland was for the Government to adopt the course that was plainly just in the matter. It would be impossible to make people whose farms had been grabbed understand why their interests in their former holdings should be disregarded, and why they were to receive no compensation, when those of their neighbours who had been evicted, but whose farms had not been grabbed, were to be reinstated. Much had been said about the difficulties of the situation, but enlarging upon them was not the way to get Amendments accepted by the Government. It was necessary that the Irish Members should speak out very plainly upon this question of the restoration of the evicted tenants, and tell the Government that unless those tenants were restored to their holdings there would be a recommencement of outbreaks and disturbances—crime and violence—in Ireland. He had continually expressed publicly his detestation of outrages, but experience showed that in cases where the Irish people believed that they had grievances which Parliament refused to redress, disturbances invariably ensued throughout the country. The Chief Secretary was as well aware of that fact as himself. That result had always followed, and would again be inevitable. He ventured to say that not a single Irish Member would get up in that House and assure the Government that, if the land-grabbers were allowed to remain on the farms which they had robbed the former tenants of, if these grievances were allowed to remain unredressed, an outbreak of violence and disturbances would not take place. He would say that most unreservedly with regard to his own constituency in Clare, and he must tell the right hon. Gentleman as plainly in that House as he would outside, that if the people who had been in possession of grabbed farms in Clare were to be told by the Government that there was absolutely no hope of their being reinstated, serious consequences would follow. The result would be that, if this Bill were thrown out either next year or the year after, the right hon. Gentleman the Chief Secretary or his successor would assuredly have to introduce a measure that would carry out the prin-

ciple of this Amendment. The right hon. Gentleman had entered into an elaborate defence of the President of the Local Government Board; but nothing could get over the fact that the latter right hon. Gentleman had, during his visit to Ireland, distinctly declared that this question of land-grabbing would be dealt with within a few months of the Liberal Party coming into Office. It was no part of his duty to attack that right hon. Gentleman, nor did he suppose anybody wished to do so; but surely it was perfectly legitimate for an Irish Member to point out that when a man in that position made such a statement, it could not be regarded otherwise than as a promise. In distinct terms he had stated that the Government would deal with land-grabbing. Perhaps the Chief Secretary would be kind enough to tell him and his fellow Irish Members what they were to say to their constituents and the Irish people when they went back to them? Were they to tell those who had been evicted, and who had been waiting patiently so long for legislation to put them back again, that their hope of being restored to their farms could never be fulfilled, and that they must either emigrate or sit in idleness for the rest of their lives at the gates of the farms from which they had been evicted? The man who had been evicted from his farm was just as much deserving of sympathy as the man whose farm had not been grabbed. It was monstrous that the Government, while recognising the justice of the tenants' claims in the one case, should refuse to accede to them in the other. It was monstrous that some proposal for compensation should not be made. If the Government were not prepared to deal compulsorily with the men who had taken these farms in the course of a legitimate warfare, they would be telling the large number of men whose farms had been taken that they were altogether unworthy of any relief. Did the Government really propose to do nothing for these unfortunate men? It was all very well for the right hon. Gentleman to say that he shrank from going through another eviction campaign during the coming winter; but what was he going to do during the winter with the thousands of men, women, and children

who were now living on the roadsides in sight of their farms which had been stolen from them? Did he propose to tell them there was no hope for them? He did not suppose for a moment that merely finding land for these people or making them grants of money would entirely settle the question, but it was surprising that the Government who had so far never been prepared to rob them of their farms should decline now to do anything for them. By this Bill the Government gave their sanction to land-grabbing, which was regarded in Ireland as pure robbery. Was the right hon. Gentleman prepared to tell the Committee that if this Amendment were defeated the question would settle itself, and that there would be no trouble in consequence in Ireland? The Irish Members could not do better than impress upon the Government that in Ireland land-grabbing was regarded by the peasantry as robbery pure and simple. The farms had been held by these men throughout their lives and by their fathers and ancestors before them. That was the case with thousands of tenants who had always paid the rent asked of them by the landlords, and it could not be expected that they would stand quietly by and allow new tenants from another part of the country altogether to come in, plant themselves on the farms, and take possession of the soil which had been enriched by years and years of the labour of those tenants and their ancestors. No wonder that land-grabbing was regarded as robbery by the Irish peasantry. In Clare a man who had grabbed a farm was looked upon as the commonest robber. The people in his constituency, as well as in other parts of Ireland, had restrained themselves ever since this Government came into power in the belief that something would be done to protect them, and to restore those who had been evicted from their farms. But from the moment this Amendment was defeated those people would have no further reason for hope. How, then, could the Government expect them to remain patient in the future as in the past? They would not do so. Such a failure on the part of the Government must lead to grave troubles in Ireland. Far from wishing to make any attack on the Chief Secretary, he would only say

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that the right hon. Gentleman ought to know sufficient of the Irish question to be convinced that in these matters it was better to deal at once with the difficulty confronting him. If the evicted farms were left in the hands of the planters, the question would by no means settle itself. The House would undoubtedly have to deal with this matter. If this Amendment were not passed he should advise the boycotting of these land-grabbers as strongly as possible, and if the House did not offer some relief to those whose farms had been taken, the people would take the matter into their own hands. In spite of the policy of the Government public opinion would compel the land-grabbers to give up these farms. He was as sick and as tired of agitation as any person in that House. The Chief Secretary might know that the position of the Irish Members was by no means easy, and that the task of combining the performance of their duties in the House with that of working in the constituencies during the Recess was a very difficult and by no means pleasing one. But he did say confidently that unless they dealt with land-grabbing now the people would deal with it themselves in the coming winter, and next year Parliament might be face to face with a state of disturbance in Ireland, the result of its own failure to apply a remedy to an admitted grievance. Surely the Chief Secretary ought to have strength of character sufficient to enable him to deal with this matter now. He could assure the right hon. Gentleman that if he had used heated language it was simply because of his earnest desire that the people should not be told to abandon all hope in this matter. It was a fact that in nearly every portion of Ireland there were to be found tenants who had been evicted for a number of years, and who were waiting in hopes of restoration under this Bill. From the very moment of its introduction he had supported it, because he felt it would do a great deal of good, but there was no reason why they should ignore the fact that in many cases it would fail to remedy the grievance. He did appeal to hon. Members opposite to detach themselves from the official lead of the Government on this matter, and to vote with the Irish Members. On this point they at any rate

were absolutely united ; they were all in favour of the Amendment, they all agreed as to the necessity for action in this direction, and seeing that this was a matter which affected the purely rural life of the Irish people, the conditions of which were best understood by the Irish Representatives in Parliament, he did earnestly appeal for support. By adopting the Amendment they would, he believed, secure the peace of Ireland for the winter, while by rejecting it they would once more open the floodgates of agitation. The right hon. Gentleman might think that, after what he had done for it, the country would be quiet. But he was mistaken. There was a point beyond which the Irish Representatives would be unable to make their influence bear with their constituents, and unless they could carry home with them some encouraging message to the effect that it was the intention of the Government to restore these evicted tenants to their holdings, a strong feeling of opposition to the Government would be created. They were no doubt told that the House of Lords would throw out this Bill ; but even if they did, the fact of its adoption by the House of Commons would go far towards preserving the peace of Ireland. The very first question he would be asked when he met his constituents would be, "What about the land-grabbers ? Is it true or not the Government have refused to give assistance to the men whose farms have been taken from them ?" And if he had to reply that such was the case, he would be asked by the evicted tenant, "Why am I to go on waiting ? Did I not put as much labour in the land as so-and-so, who has gone back to his farm ? Because my farm happens to have been grabbed, am I to take my children and myself off to America ? Am I to have no hope of getting back ? Will the Government absolutely do nothing to restore me to the holding from which I was unjustly evicted ?" He did appeal to the Government not to put him in the position of having to go to the people of Clare and to admit that their fears were only too well founded. Let him rather be able to urge them to be patient, because the Government were determined as soon as possible to return all the tenants to their holdings whether their farms had

been taken or not. As surely as that Amendment was defeated, so surely would this question crop up again and again until it had been settled.

\*MR. LOUGH (Islington, W.) said, the hon. Member had made a strong appeal to Liberal Home Rulers to support the Amendment, and no one would be more ready than himself to lend a willing ear to it. But it was necessary to consider the position in which the Bill stood and that in which the Amendment would land them. The Bill embodied two principles : one of compulsion, and the other of voluntary arrangement. The principle of compulsion was to be applied to a certain group of landlords who it had been found could not otherwise be dealt with, while the voluntary principle was confined to the new tenants described in the third clause. The great difficulty experienced in the proceedings on the Bill up to the present time had been the introduction of the compulsory principle, and they had been told that if some other principle could be substituted the course of the measure would have been made easy. But the present Amendment meant the extension of the principle of compulsion to the new tenants, and therein was the great difficulty. No one could have listened to the very sympathetic speech of the right hon. Gentleman in charge of the Bill without feeling that, however inclined one might be to lend favourable consideration to this proposal, there were most serious difficulties in the way. He had told them on his responsibility that its acceptance would probably be fatal to the measure. Apart from that strong statement, he was bound to confess that, to his mind, the necessity for it had not been proved by the arguments of hon. Members who supported it—the dignified arguments of the hon. Member for East Mayo, who commenced by saying that if the voluntary principle would operate, he, for one, would be only too pleased. Well, the difficulty in which they found themselves was this : that as yet the voluntary principle had not been tried under the conditions put in operation by the Bill. Power was given to compensate the tenants going out—a power which did not exist under the 13th clause of the Land Act of 1891. The hon. Member had expressed a fear that the new tenants would listen

to sinister advice and refuse to go out; but he preferred to hope that wiser counsels would prevail, and that there would be a tendency on all sides to make arrangements under the Bill. The hon. Member had referred to five cases in which the evicted tenants might have been restored had there been £125 available with which to compensate the tenant in possession. The money was not then forthcoming, but under the Bill it would be found that these men would be able to go back to their homes. The hon. Member for East Clare had complained that the Bill did nothing towards displacing the land-grabber and restoring the new tenant. Was that a fair description of the measure?

MR. W. REDMOND: So far from saying that the Bill did nothing, I said, and I repeat, that I think it will do a good deal if passed into law, but I ask for a message to a set of tenants for whom absolutely nothing is proposed to be done.

MR. LOUGH, continuing, said, that was the very point on which he joined issue with the hon. Member. A good deal was done for the tenants whose farms had been taken because money was provided for the compensation of the tenant in possession, and there was no country in the world in which so much could be done with money as in Ireland. The hon. Member said it would not answer, and that land-grabbing had become an established institution. But that was not so. A first blow was aimed by the Bill at land-grabbing, and the proposal was that they should first try what could be done by voluntary arrangement assisted by money set free for the purpose. Surely the Bill under these circumstances should have been treated more sympathetically by the hon. Member. He said he feared the landlords would advise the new tenants not to go out. Let him wait and see, and he would probably find that other influences would be at work. Hon. Gentlemen opposite did not pay sufficient attention to the provision in the third clause in relation to tenants whose farms had been taken. The Bill went a long way, and it by no means excluded the possibility of compulsion being introduced afterwards. It was, however, wise to try mild methods first. Looking at the whole situation

*Mr. Lough*

created by the Amendment and notwithstanding his great sympathy with the arguments of hon. Members for Ireland, he felt that he could not refuse to support the Government in this matter.

MR. DODD (Essex, Maldon) said, he wished to state his views upon this matter, because he had accepted the responsibility of putting down an Amendment with regard to the new tenants. It was impossible for them not to feel great sympathy for the evicted tenants, but at the same time they must see there was a great difference between the case of farms held by a *bonâ fide* new tenant and farms held either by a grabber or by the landlord. Many of them had been struck by the argument that this Bill would place the *bonâ fide* new tenant in a position of great difficulty, and recognising that he would suggest a compromise. At present, under the Bill, the new tenant might prevent reinstatement by his objection. This would enable him to extort a large sum for his consent, or his consent might be extorted from him by "a moral blunderbuss" being held at his head. He would suggest that power should be given to the arbitrators to decide whether the objection of the new tenant was reasonable and whether sufficient compensation was afforded by the Bill; and in that case to reinstate in spite of the objection. That would do away with the hard-and-fast line which at present existed. There ought to be no difficulty in leaving the decision of such a matter to the tribunal created by the Bill, for it would be composed of gentlemen in whom the House might place great reliance. He apprehended that they would conduct their sittings under the rules usually governing arbitrations, and that they would adopt the wise course of holding their sittings in public. He thought that the Amendment he had suggested would enable them to deal effectually with the grosser cases of hardship.

Question put.

The Committee divided:—Ayes 128; Noes 57.—(Division List, No. 205.)

MR. J. MORLEY moved, in page 1, line 12, after "is," insert "or was on the 19th day of April, 1894." He said the



Amendment would exclude any new tenant who was put in possession of his holding after the 19th of April in the present year.

Amendment proposed, in page 1, line 12, after the word "is," to insert the words "or was on the nineteenth day of April one thousand eight hundred and ninety-four."—(*Mr. J. Morley.*)

Question proposed "That those words be there inserted."

MR. SEXTON said, he acknowledged the consideration of the Chief Secretary in proposing this Amendment, because as the Bill was drawn it would have been open to any landlord, after the introduction of the Bill and before it became an Act, to introduce new tenants to holdings, and thus defeat the Act in so far as such holdings were concerned. The Amendment would effect a great improvement in the Bill, and he thanked the right hon. Gentleman for it.

Question put, and agreed to.

MR. J. MORLEY proposed to substitute the words "determination of the tenancy" for the word "eviction." This Amendment, he said, would get over any difficulty that might possibly arise as to whether tenants dispossessed under the "eviction made easy" clause or by sale of the tenant's interest, or otherwise, were entitled to the benefits of the Act.

Amendment proposed, in page 1, line 14, to leave out the words "the eviction," and insert the words "the determination of the tenancy."—(*Mr. J. Morley.*)

Amendment agreed to.

SIR R. T. REID proposed an Amendment providing that the arbitrators should be empowered to take into consideration not only whether an eviction was reasonable or not, but also all the other circumstances of the case as well as the condition of the district.

Amendment agreed to.

MR. J. MORLEY proposed an Amendment which, he said, provided that a tenant, on being restored to his holding, should hold his tenancy subject to the same conditions and on the same terms as existed before the tenancy was determined.

MR. T. M. HEALY said, he was not quite sure that the Amendment was required, because the Act gave power to have a judicial rent fixed, whether the tenancy was a present tenancy or not. If a judicial rent were fixed, all the conditions of a present tenancy would attach.

MR. CLANCY said, that the Amendment would make the Bill worse than it was. He thought that whether a tenant was a present tenant or not at the date of his eviction he should be placed in the position of a present tenant on reinstatement.

MR. J. MORLEY said, he did not think the present was the proper occasion for making such an alteration in the general law. The point, he thought, was not worth discussion, as the number of future tenants in Ireland was small.

MR. T. M. HEALY said, he agreed that this was not a large matter. He did not believe that any evicted tenant restored to the same conditions he was in before eviction would find himself unable to get a fair rent fixed by Statute.

DR. KENNY said, he thought that extra consideration ought to be accorded to these tenants, and that a beginning ought to be made in this Bill towards laying the ground for future consideration of the question. Moreover, the landlord might, he suggested, take vengeance on the tenant again. He thought that the Bill ought not thus to be amended for the worse.

MR. SEXTON said, it did not follow upon the words of the Bill that the evicted tenants would have fair rents fixed; and, after the evicted tenant was back on his holding, he might have to go to the Land Commission Court if he wanted to have a fair rent fixed, and that question would be determinable as a point of law under Section 58 of the Land Act, 1881, which provided that certain tenants should not have the right to have fair rents fixed. The present measure was not a Bill to alter the general law, and, if they attempted to make it so, they would be giving further ground for comment to the opponents of the Bill, there and elsewhere.

Amendment agreed to.

MR. J. MORLEY said, he had intended to accept one of the Amendments standing in the name of the hon. and learned Member for North Armagh (Mr. Barton). In the absence of the hon. and learned Gentleman he would move the Amendment, which provided that the orders mentioned in the clause should be executed by the Sheriff in like manner as a writ for the delivery of possession.

Amendment agreed to.

SIR R. T. REID moved to omit from Sub-section (5) the words—

"Subject to a fair rent being fixed in pursuance of the Land Law (Ireland) Act, 1881, and the holder shall have the like right as other holders of present tenancies to have a fair rent fixed,"

and to substitute therefor—

"Until a new rent is fixed, and where the tenancy was determined before the passing of The Land Law (Ireland) Act, 1881, or before the determination thereof was a present tenancy, whether subject or not to a statutory term, the landlord or tenant may apply to the Land Commission to have a fair rent fixed, in pursuance of The Land Law (Ireland) Act, 1881, and the Acts incorporating or amending the same, in so far as the said Acts admit of a fair rent being fixed in respect of such a tenancy, and the holding shall, upon the fair rent being fixed, be subject to the provisions of the said Acts applicable to a present tenancy."

Suppose, he said, that after the eviction and before this Bill should come into operation the land had become greatly deteriorated, it would not be fair to the tenant that he should be called upon to pay the same rent as he was liable to pay before eviction.

Question proposed, "That those words be there inserted."

MR. SEXTON said, he thought that, except upon one point, the Amendment would meet the practical necessities of the case. It would meet the case of men who were evicted between 1879 and the passing of the Land Act of 1881, and who, therefore, never obtained the right to the security of tenure that was consequent upon the fixing of the fair rent. He thought, however, that the leaseholder who was evicted before the passing of the Act of 1887 was in the same position as the tenant from year to year who was evicted before the passing of the Act of 1881, because it was only by the passing of the Act of 1887 that the

leaseholder obtained the right to go into Court, and have a fair rent fixed. He thought, therefore, that the Government ought to insert in the Amendment the words

"or where, the tenant being a leaseholder, the tenancy was determined before the Act of 1887."

THE ATTORNEY GENERAL (Sir J. RIGBY, Forfar) said, that the point raised by the hon. Gentleman would be carefully considered, and, if necessary, the Amendment would be rectified upon the Report.

MR. SEXTON said, he was much obliged to the hon. and learned Gentleman. He did not know whether English lawyers were as subtle as Irish lawyers, but he knew that words which were apparently plain had sometimes been made to assume quite a different meaning by the Irish Courts. The case had just been stated of a landlord who had made improvements since the time of the eviction, and had thus increased the value of the farm. The cases were extremely rare in Ireland where a landlord made any improvements, and still rarer where he made valuable improvements. If such cases had arisen, however, the Irish Members were not disposed to object to an equitable arrangement, and they therefore, would not oppose the Government proposal. On the other hand, if the farm had deteriorated in value, it would be obviously unjust that the rent should be fixed in accordance with the old condition of things. He thought, therefore, that the Amendment, with the explanation given by the Attorney General, could be accepted.

Question put, and agreed to.

Clause 1, as amended, agreed to.

Clause 2.

MR. SEXTON moved to insert after "money," in page 2, line 19, the words—

"And may include in such amount any sum directed by them to be paid by the petitioner to the new tenant in consideration of reinstatement, or to the landlord on account of arrears of rent, or of costs in excess of the sum granted for such purposes by the arbitrator to the petitioner."

He said that if the landlord required the restored tenant to purchase, the arbitrators must fix the amount of the purchase-



money, and then proceed to act as if they were purchase commissioners. The Committee must bear in mind that the tenants who were to be restored to their holdings were men who had been out of them and deprived of the pursuit of any independent mode of living for years, and he thought the Committee would do well to ease the conditions under which the new tenants entered again into the responsibilities of tenancy. The Bill as it stood provided for two payments to be made by the old tenant on returning to his farm. The first was the payment to be made in case the new tenant did not object to leave the farm. He did not precisely know what would be the measure of that sum. It was left absolutely to the discretion of the arbitrator, and the Bill authorised the arbitrator to advance only half the amount of the funds placed at their disposal. The other half of any sum which they might direct to be paid to the new tenant would have to be provided by the former tenant out of his own resources. The burden that would thus be placed upon him might be seriously embarrassing to a man who was resuming the cultivation of his holding. The other payment which the tenant might be called upon to make was that of the moiety of the rent to be paid to the landlord. A penniless tenant, re-entering upon the occupation of his holding, and being entitled to get a sum of only £50 for rebuilding his house if it had been thrown down or injured, might find himself in a very difficult position. The funds which would be at the disposal of the Nationalist Members for assisting restored tenants might not be of very great amount, and he thought the right hon. Gentleman (Mr. J. Morley) would do well to consider whether he could not go one step further than he at present proposed to go in the effort to assist the restored tenant to put himself into a solvent position. His Amendment was to the effect that where a restored tenant was called upon to purchase, the arbitrators should not be obliged to call upon him to provide one-half the amount, but should be empowered—he still left it to their discretion—to add the half of the sum payable to the landlord and the half of the sum payable to the planter or landgrabber to the amount of the pur-

chase-money advanced under the Land Purchase Acts, and to charge the sum repayable annually with the amount. The amount could not be very large. The average arrears for the 17 campaign estates were less than two and a-half years, and in many cases they would be less than one year. The amount of less than half a year's rent, especially in a case where the tenant was not a very substantial farmer, would not be considerable. The average amount might be £20. The addition of this sum to the amount advanced could not imperil the security nor materially increase the amount of the annuity payable to the State. He strongly urged the Amendment on the right hon. Gentleman the Chief Secretary; but before the Report stage he would be willing to consider the question of security, but it was requisite to free the incoming tenant from the immediate demands for the payment of money.

Amendment proposed, in page 2, line 19, after the word "money," to insert the words—

"and may include in such amount any sum directed by them to be paid by the petitioner to the new tenant in consideration of reinstatement, or to the landlord on account of arrears of rent, or of costs in excess of the sum granted for such purposes by the arbitrator to the petitioner."—(*Mr. Seaton.*)

Question proposed, "That those words be there inserted."

MR. J. MORLEY said, he quite agreed with the hon. Member in thinking that any practicable step ought to be taken to ease the conditions under which the old tenant could re-enter his holding; but the landlord, after all, was not the only consideration they had to bear in mind. The hon. Member had somewhat lowered the proposal he had made, because he could not fail to see that it would impair the security to the State of the repayment of the advances made on the holding. The Government assumed that the arbitrators would attach a fair value to the holding and advance up to the limit of its value. But the Amendment was going to include as the foundation of the advance what was not purchase-money at all. The hon. Member contemplated some security in the farm which was not really in the farm, and which must be found in some extraneous source.

MR. SEXTON pointed out that what was sold was not the holding, but the landlord's interest in it. If a fair price were fixed on the landlord's interest there would remain the tenants' interest in the holdings as a margin of security for the State.

MR. J. MORLEY said, the hon. Member's point did not affect the validity of the security, whatever it might be worth. The arbitrators were pretty sure to advance up to the full value of the holding the whole of the landlord's interest and the whole value of the holding as a holding; but he would go a little further than that, and say that the effect of the Amendment would be to impair the security. One of the most serious charges brought against the Bill by the Member for South Tyrone and other hon. Members was, that it would be mischievous in any way weaken the framework of the purchase system. He thought that in all parts of the House they looked to that portion of the Bill as affording some solution of Irish difficulties; therefore, on that ground alone he was averse to accepting the Amendment. The Government had considered all along whether any of these advances should remain as charges on the land, and whether the policy should be adopted not only to make no free grant of this moiety, but to make no free grant whatever, charging the moiety contributed on the land. A great deal could be said for that policy; but, on the whole, he had determined that it would be wiser to treat these tenants in the most generous way possible; and the Government made the advances a completely free grant. The Government had a right to expect, in consideration of the great effort they were making to pass this Bill, that some extra steps would be taken to assist the evicted tenants in the circumstances in which they found themselves. He, for one, had no doubt those efforts would be made, but at all events he would rather face that risk than impair the strength of the framework of the purchase system.

MR. SEXTON said, that after the statement the right hon. Gentleman had made he would not trouble the Committee to divide.

Amendment, by leave, withdrawn.

DR. KENNY said, he proposed to omit Sub-section (a), providing that the arbitrators, if of opinion that the holding would be sufficient security for the advance, but owing to its having become temporarily deteriorated in value, might make the advance upon the purchaser providing such security as they might deem sufficient to meet any risk arising from such temporary determination. It would be a great hardship upon the evicted tenant to ask him to provide this security, which was quite unnecessary. The question of security was a formidable obstacle in the path of the tenant. The interest of the tenant in the holding was his security, and he thought that the right hon. Gentleman had scarcely considered the amount of labour which would be caused to the arbitrators in the investigation of collateral security. He confessed he would not envy the arbitrators the task before them. The Bill as it stood would mortgage the security of the tenants' interest, and he maintained that this was sufficient. Consider the position of the tenants. They had been out for many years, and had become stripped of everything. Not only were they stripped, but their friends who had been supporting them for years past were also stripped, and now they were asked to provide security which would be really personal security. If such security were likely to be effective there might be something in it, but it was not. What did the Government offer? They offered the arbitrators a lawsuit to recover their money on collateral security from men just as poor and ill able to bear it as themselves. The sub-section, if allowed to stand, would cause great hardship. The tenant would be made responsible for deterioration, and in 19-20ths of these cases there would have been waste and deterioration which it would take years to get over. The deterioration would have been the landlord's fault and the tenant's misfortune; therefore, the tenant should not be expected to find collateral security in respect of it. He imagined that without this sub-section there would be ample security for the repayment of the purchase money. This sub-section would not add to the value of the security, whilst it would be a formidable obstacle to the putting in force of the Act.

Amendment proposed, to leave out Sub-section (a).—(*Dr. Kenny.*)

Question proposed, "That Sub-section (a) stand part of the Clause."

MR. T. M. HEALY said, this sub-section was in ease of the tenant, and not against him in any way. If the hon. Member would read the sub-section twice he would understand it.

Question put, and agreed to.

MR. J. MORLEY : I beg to move, in page 3, line 4, after "money," to insert "but the payment of all sums which otherwise would have been payable out of the guarantee deposit shall be guaranteed by the Irish Church Temporalities Fund, and shall be payable out of any surplus of that fund not heretofore appropriated, and be applied as if they were payments out of the guarantee deposit."

This is an Amendment in substance, though not in words, put down by the hon. Member for South Tyrone (Mr. T. W. Russell), and the object is that no excuse shall be given to impair the sanctity of the purchase system.

Amendment proposed, in page 3, line 4, after the word "money," to insert the words—

"but the payment of all sums which otherwise would have been payable out of the guarantee deposit, shall be guaranteed by the Irish Church Temporalities Fund, and shall be payable out of any surplus of that fund not heretofore appropriated, and be applied as if they were payments out of the guarantee deposit."—(*Mr. J. Morley.*)

Question proposed, "That those words be there inserted."

MR. SEXTON said, the hon. Member for South Tyrone (Mr. T. W. Russell) was not slow to intervene in the Debate, but he appeared to-day to be debarred from some unusual circumstances. He only rose to say he thought the proposal was very reasonable, and would put an end to any objection that the payment of the whole of the purchase money to the landlord in any way damaged the security of the State.

Question put, and agreed to.

Clause, as amended, agreed to.

Clause 3.

SIR R. T. REID moved, in page 3, line 8, after "is," insert "in the opinion of the arbitrators." What was desired

by this Amendment was that the arbitrators should deal with the matter without going to the Court.

Amendment proposed, in page 3, line 8, after the word "is," to insert the words "in the opinion of the arbitrators."—(*Sir R. T. Reid.*)

Question, "That those words be there inserted," put, and agreed to.

MR. J. MORLEY : I beg to move, in page 3, line 10, to leave out "created before the passing of this Act," and insert "*bonâ fide* created before the 19th day of April, 1894." This is consequential upon the Amendment I moved upon the other clause.

Amendment proposed, in page 3, line 10, to leave out the words "created before the passing of this Act," and insert the words "*bonâ fide* created before the 19th day of April, 1894."—(*Mr. J. Morley.*)

Question, "That the words proposed to be left out stand part of the Clause," put, and negatived.

Question proposed, "That those words be there inserted."

MR. T. M. HEALY said, he doubted whether the Amendment met the difficulty. What would be the position of a tenant whose farm had been let since that date? It seemed to him that the clause in no way provided for such a case, but perhaps the Government would consider it before Report.

MR. CLANCY (Dublin Co., N.) moved to amend the proposed Amendment by inserting, after the word "created," the words "at least two years." His own opinion was that very few tenancies had been created since the present Government came into Office, except for the express object of defeating any Bill of this kind brought in. He thought that these tenancies created since the present Government came into Office should be regarded as bogus. He fixed the date for the reason that when the Government came into Office it was well known to be part of their programme to bring in a Bill for the restoration of these tenants, and those who came in after that date had ample notice that a Bill of this kind would be presented, and

therefore they were not entitled to the same consideration as tenants who were in before that date. He fully believed that every so-called new tenant who had been put in since the Government came into Office had been put there for the express purpose of defeating any such measure as this.

Amendment proposed to the proposed Amendment, to insert, after the word "created," the words "at least two years."—(*Mr. Clancy.*)

Question proposed, "That those words be there inserted in the proposed Amendment."

SIR R. T. REID said, the effect of the section as it at present stood was that there should be a power of refusal on the part of any new tenant before the passing of the Act, and the hon. Member proposed the power of refusal should not apply to cases where the tenancy was created less than two years before the passing of the Act; that was to say, that all the tenants who had been created tenants within the last two years should not have the power of refusing. That was a very large extension, and was what they did not agree upon earlier in the afternoon—namely, whether compulsion should be applied to the new tenant. That being rejected by the Committee, if they now allowed that compulsion should be employed in cases of tenancies created in the last two years, it would be based on an arbitrary assumption that all the tenants that had been created in the last two years were, in fact, bogus tenants. As the clause stood they must be *bonâ fide* tenants created before any right was conferred on any new tenant. He might, at the same time, be allowed to answer the observations of the hon. and learned Member for Louth.

MR. T. M. HEALY said, he had looked into the matter and was satisfied.

MR. CLANCY said, that no doubt it was an arbitrary date, but so was every other date in the Bill. He gave his reason for choosing that date, because it was well known that immediately the present Government came into Office an Evicted Tenants Bill would be brought in to effect the restoration of the former tenants, and after that he did not believe that a single new tenant was put in

except for the purpose of defeating a Bill of this kind.

MR. DILLON said, it was only fair in connection with this matter to say that the Government had already substantially recognised the demands put forward on behalf of the evicted tenants, and, while admitting that there was a great deal in the claim of the hon. Member for North Dublin, yet there should be some spirit of compromise.

MR. T. M. HEALY asked if the words of the right hon. Gentleman had not been inserted, because if so that would dispose of the matter.

THE CHAIRMAN: The words have been struck out, but the new words have not been inserted.

MR. SEXTON said, he wished to point out there was a clear distinction in principle between introducing the date of the introduction of the Bill and any previous date, even though it marked the accession of the present Government to Office. The Irish landlords who had evicted tenants from their farms were in no position to forecast or to anticipate that the Legislature in the future would make any distinction between the tenants in dealing with these farms, and, therefore, the Act of putting in a tenant at a date anterior to the introduction of this Bill could not mean to be an intention to evade or defeat the law. As soon as this Bill was introduced, the Irish landlords were notified that certain powers would be taken in the case of vacant land that was not taken in the case of tenanted farms, and, therefore, to put in a tenant might be taken as an intention to evade the law. In this matter the Government had taken their stand on a clear ground of principle that could not be made the cause of a formal attack on the Bill. He thought if the earlier date of his hon. Friend were accepted, the prospects of the Bill might be injured or jeopardised, and, therefore, on the whole he hoped his hon. Friend would not feel disposed to urge the Amendment any further, and if a Division were taken he should vote against it.

MR. CLANCY said, the hon. Member for Kerry (Mr. Sexton) had said there was a difference between the two dates, and that the landlords had no indication of what would take place until the Bill was introduced. He (Mr. Clancy) would

*Mr. Clancy*

remind the House that for the last two or three years Bills had been introduced and supported by the Liberal Party, which had for their object the restoration of these evicted tenants—certainly Mr. O'Kelly's Bill did. According to his view of the case, the landlords got formal notice from the year Mr. O'Kelly's Bill was brought in and supported by Members of the Liberal Party; the landlords had ample notice that not a new tenant would be restored on the holding after that, but would be regarded as a bogus tenant. For that reason he thought the Amendment was one that ought to be pressed and supported by the Irish Members.

MR. SEXTON said, the hon. Member did not appreciate his point; in the Bill to which the hon. Member referred no difference was made, and therefore the act of the landlord was not to be taken as an intention to evade the law, as the law was going to make no distinction.

Question put.

The Committee divided:—Ayes 14; Noes 181.—(Division List, No. 206.)

Words inserted.

On Motion of Mr. J. MORLEY, the following Amendment was agreed to:—

Page 3, line 12, leave out from "tenancy" to "the foregoing," and insert "all."

Verbal Amendment agreed to.

MR. HAYDEN (Roscommon, S.) said, that in moving the Amendment standing in his name, he had some confidence that it would be accepted by the Chief Secretary. The right hon. Gentleman earlier in the Debate referred to two classes of tenants who now occupied evicted tenants farms. One of these classes had no interest in the farm, and were not *bonâ fide* farmers, and the other class consisted, not of a large number, but still of a considerable section of men who had an interest in the farm, and would not wish to give them up, even for compensation. He would ask the right hon. Gentleman to consider in what way they derived that interest. They simply took over the improve-

ments and tenant-rights of the former tenant. He did not believe this was the best means of dealing with this question, but for want of a better means it might be a further inducement to get them to give up the holdings they occupied, and the property, which was really the property of the former tenant. It was only reasonable that the former tenant should be paid the value he would have got if he had been permitted to sell in the open market.

Amendment proposed, in page 3, line 18, after the word "reinstatement," to insert the words—

"and if the new tenant pays or duly secures to the petitioner in such manner as the Arbitrators may direct such sum as the Arbitrators may determine, having regard to the petitioner's tenant-right in his holding before the eviction, and to the improvements effected by the petitioner in said holding."—(Mr. Hayden.)

Question proposed, "That those words be there inserted."

MR. J. MORLEY said, that as he understood the Amendment, its object was to provide that where a new tenant refused to assent to an order restoring the old tenant, the arbitrators should have the power to propose a payment to the petitioner, who was the evicted tenant, as compensation for the rights of which he had been dispossessed on the commencement of the new tenant's tenancy. That was a question which was present to his mind at the time of the framing of the Bill, because it was pointed out to him by agents and other gentlemen that there were a great number of cases in which the tenant who had been evicted and had been a source of some of those troubles and disorders in the neighbourhood, on being allowed to sell his interest in open market would be perfectly content and would disappear. He supposed the contention of the hon. Member was similar. Yes; but there was a very strong objection which might be taken from the very quarter in which the hon. Member himself sat, which was this: that the acceptance of the Amendment would involve the recognition of a certain *locus standi* in the planter. That, he thought, would be regarded as an insuperable objection, though it was not, of course, the point of view from which he approached the subject at all. What he was prepared to say now was that the Govern-



ment would consider between then and the Report stage whether words could be framed to carry out the suggestion, or proposal, made by the hon. Member. The point was an important one, and there were various things to be considered in relation to it, but the Government would give the whole question careful attention. At the same time, it must be clearly understood that the pledge he gave was only conditional upon further consideration.

MR. HAYDEN said, that under the circumstances, and trusting that the right hon. Gentleman would act in the spirit of his speech, he would ask leave to withdraw the Amendment.

MR. SEXTON would like to draw the attention of the right hon. Gentleman to a new clause dealing with compensation to a former tenant and which stood on page 31, in the name of the hon. Member for the City of Cork. The right hon. Gentleman would do well to bear in mind that the interest of the evicted tenant might be confiscated not only in the case where the new tenant refused to go out but also where the farm was vacant and where the landlord had shown cause against an absolute order; therefore the subject would not be fully dealt with if the right hon. Gentleman considered only the case where there was a new tenant and left out the case where the landlord showed cause against an absolute order for reinstatement being made. The property of the evicted tenant was confiscated in the one case as well as the other and the clause of his hon. Friend addressed itself to the whole subject. It was as follows:—

"In any case arising under this Act in which an absolute order for reinstatement is not made, the Arbitrators may determine what sum is equitably due by the landlord to the petitioner in compensation for the value of his interest in the holding immediately prior to the determination of his tenancy, and this sum, after deducting the amount due for rent to the landlord at the time of the eviction, shall be a debt recoverable from the landlord by the petitioner, and a certificate under the seal of the Arbitrators shall be accepted as proof of the debt and the amount thereof in any action taken to recover the same."

He trusted, in considering the Amendment of the hon. Gentleman, the Chief Secretary would take account of the fact that it did not cover the whole subject, and that any proposal he himself made would

be such as should deal completely with the matter in the direction of the clause he had quoted.

MR. J. MORLEY said, that in considering the subject the whole circumstances which had been mentioned should be taken into account.

Amendment, by leave, withdrawn.

THE CHAIRMAN called upon Mr. SEXTON, who had the following Amendment on the Paper:—

Page 3, line 19, after "Arbitrators," insert "unless after due inquiry they are of opinion that the new tenant is not a *bonâ fide* farmer, or that his interest in the holding is not substantial, or that for some other cause sufficient in their judgment it is expedient to make an order for reinstatement."

MR. SEXTON said, this Amendment raised substantially the same question as that determined by the first Amendment moved that day, where they endeavoured to apply the principle of compulsory treatment to tenanted as well as to vacant farms. The right hon. Gentleman in his reply delivered his judgment unequivocally on the subject of that Amendment, declaring that its acceptance would render impossible the success of the Bill. It was conceivable that the Bill, as it stood, might deal practically with the whole question at issue. No one could say whether it did or did not until the Bill had come into operation. He was willing to accept the decision of the Committee on the former as being a decision on this Amendment, but the Irish Members reserved their right, if the Bill passed into law, to observe the extent of its operation, and whether or not it completely dealt with the question, and on the first opportunity after the practical working of the Act had become a matter which they could determine by practice, they should reserve their right to bring the subject under notice.

MR. DODD (Essex, Maldon) was called upon by the Chairman to move the following Amendment, but he stated that after what had just been stated by the hon. Member for North Kerry he should not do so:—

Page 3, line 19, leave out "not make an order," and insert "hear and determine the reasonableness of such objection, and if they shall be of opinion that such objection is reasonable and cannot be fairly met by such payment or compensation as they are enabled by this Act in cases where the new tenant does



not object to an order to award, then they shall make no order, but otherwise they may if they think fit deal with the whole matter as though the new tenant had not objected."

MR. W. REDMOND had the following Amendment on the Paper:—

Page 3, line 19, after "order," insert "but in such case the new tenant shall pay to the petitioner such sum as the petitioner would be entitled, on evidence by the landlord, to recover under the provisions of The Landlord and Tenant (Ireland) Act, 1870, in respect of the disturbance of his occupation as tenant, and of the improvements effected on the holding by himself or his predecessors in title."

He said, he believed the Amendment was much the same as that which had already been moved by the hon. Member for Roscommon (Mr. Hayden), and as he understood the Chief Secretary had given an undertaking to consider the whole question he did not propose to move this Amendment.

MR. SEXTON (for Mr. PINKERTON) moved, in page 3, line 27, at end, add—

"and may advance the other half out of such moneys, charging the interest of the tenant in the holding with an annuity payable to the Land Commission in repayment of such advance for such term of years as they may fix, such annuity to be recoverable by the Land Commission as if it were payable under the Land Purchase Acts by a tenant for the purchase of his holding."

He said, the Amendment raised the question whether the incoming tenant should be assisted in respect to the moiety of the payment to be made to the landlord and the old tenant. The Amendment he moved before was that the moiety to be paid by the incoming tenant in the case where the new tenant became a purchaser should be added to the purchase money. The right hon. Gentleman objected that in such a case they would be adding to the purchase money something which was not really part of the price of the holding. He doubted if that was true in respect of the money paid to the tenant in respect of his interest. He was now dealing with the case where the tenant did not become a purchaser, where the landlord did not insist on the power given to him in this respect, and where the tenant was reinstated as a tenant. In such cases he thought it might fairly be considered whether this further advance might not be made to the tenant, especially as the advance could be charged by way of annuity on the holding, so that the

security of the State would not be affected. If the Chief Secretary could not at once accept the Amendment, he hoped the right hon. Gentleman would not reject it, but would consent to give it consideration.

Amendment proposed, in page 3, line 27, at end, add—

"and may advance the other half out of such moneys, charging the interest of the tenant in the holding with an annuity payable to the Land Commission in repayment of such advance for such term of years as they may fix, such annuity to be recoverable by the Land Commission as if it were payable under the Land Purchase Acts by a tenant for the purchase of his holding."—(Mr. Sexton.)

Question proposed, "That those words be there inserted."

SIR R. T. REID said, that the Chief Secretary would look into this matter between now and the Report stage, and without giving any definite decision would see if anything could be done.

Amendment, by leave, withdrawn.

Question proposed, "That the Clause, as amended, stand part of the Bill."

MR. J. MORLEY said, he desired to make an observation or two with respect to an Amendment to this clause which the hon. Member for South Tyrone had placed upon the Paper, but had not moved. The Amendment of the hon. Member provided that the Arbitrators

"may in the case of any former tenant (whose holding has been taken) and whom they may find to have been the subject of unjust or harsh eviction give special aid to the migration or emigration of any such former tenant and may recommend the Land Commissioners to facilitate the migration of such tenants by acquiring land upon which they can be settled as tenants, and the tenants when their tenancies have been so created shall be entitled to and shall be required to avail themselves of all the provisions of the Land Purchase Acts for the purpose of purchasing the holdings of which they are so created tenants. Any sum that may be required for the purpose of emigrating families under this section shall be charged on the residue of the Emigration Fund provided by the Land Act of 1881."

When the proposal contained in this Amendment was originally made by the hon. and learned Member for the University of Dublin he (Mr. J. Morley) stated that he feared that the experience of the Congested Districts Board had not

been such as to encourage the idea that migration was a very easy thing to accomplish, and the Leader of the Opposition indicated by a gesture that he shared his scepticism. He explained then that he was doubtful whether machinery could be devised for carrying out this object and whether the circumstances in Ireland lent themselves to the process of migration, but that he would be willing to consider any proposal for the purpose that might be laid before the Committee. The Amendment now on the Paper would not, in his opinion, meet the case exactly, but in the interval before the Report stage he would consider whether a practicable provision could be framed for placing powers in regard to migration in the hands of the arbitrators.

MR. SEXTON remarked that there was no doubt the subject which the right hon. Gentleman had voluntarily raised was one of extreme importance. He had discussed it with the hon. Member for South Tyrone and others, and whilst he recognised to the full the object of the Amendment he thought it must be conceded, by anyone who examined its terms from a critical point of view, that it would not suffice in any practical way to deal efficiently with the case. He could not give unqualified approval to the Amendment, because it contained the word "emigration." Plans for emigration never led to any good, and what they wanted to do was to keep their people at home. But migration was a different matter altogether, and he had no doubt that there were unoccupied lands to be had in Ireland which were suitable for occupation and cultivation. The Land Commission, if authorised to do so, would be able to obtain these lands so that they might be let to evicted tenants who failed to obtain reinstatements in their old holdings. He trusted that the Chief Secretary, who could command the services of experts and obtain legal help, would be successful in framing a satisfactory Amendment dealing with the matter under consideration.

Question put, and agreed to.

Clause, as amended, agreed to.

*Mr. J. Morley*

#### Clause 4.

On Motion of Sir R. T. REID, the following Amendment was agreed to :—  
Page 3, line 37, after "Act," insert—

"Except as respects any sum so to be paid, the landlord shall not, after an absolute order for a reinstatement is made, have any claim on account of arrears of rent or of costs in connection with the holding."

MR. CLANCY moved, in page 3, line 38, after "house," insert "or offices." The object of the Amendment, he explained, was to provide that the arbitrators might make a grant to assist the tenant in rebuilding or repairing not only the house on the holding, but the offices and other buildings also. He should move a further Amendment that the arbitrators should also take into consideration the circumstances of the tenant; that was to say, his poverty and his inability to stock his farm, and so on. It would be absurd to place a tenant back on his holding and give him £50 to rebuild the house and offices. In the first place, it would be ridiculous to confine the grant to so narrow a thing as the dilapidation of a dwelling-house, and, in the second place, to limit the grant to the sum of £50; and his proposal was that the whole question should be left to the discretion of the arbitrators, who might fairly be trusted to discharge this duty. He begged to move the Amendment.

Amendment proposed, in page 3, line 38, after the word "house," to insert the words "or offices."—(*Mr. Clancy*.)

Question proposed, "That those words be there inserted."

SIR R. T. REID said, that it would not be advisable to sanction larger grants than sums of £50, having regard to the limited sum which was to be placed at the disposal of the arbitrators. He understood that in Ireland £50 was no inconsiderable sum, and he thought that if expended with proper and judicious economy it ought to be sufficient for the purposes which they had in view.

MR. T. M. HEALY thought that the word "buildings" ought to be substituted for the word "house" which appeared in the clause, and which was too narrow. He would just like to say

that it cost £100 to build a labourer's cottage in Ireland.

MR. FLYNN (Cork, N.) stated that in some cases outhouses might have been destroyed by emergency men. Surely facilities ought to be given for rebuilding them.

MR. SEXTON suggested that they should retain the maximum of £50 and give at the same time powers of a more general character to the arbitrators as to buildings.

MR. J. MORLEY observed that the suggested substitution of the word "buildings" for "house" was worthy of consideration, but he could not assent to it on that occasion, because he knew from experience that apparently harmless words used in connection with Irish agrarian matters were often traps for the unwary. The suggestion, however, would not be lost sight of.

It being after half-past Five of the clock, the Chairman left the Chair to make his report to the House.

Committee report Progress; to sit again To-morrow.

#### CROFTERS' HOLDINGS (SCOTLAND) BILL.—(No. 294.)

##### SECOND READING.

Order for Second Reading read.

\*DR. MACGREGOR (Inverness-shire) asked if the Government would take into consideration his suggestion to bring in this Bill before 12 o'clock, so that the responsibility of its rejection might be placed on the right shoulders?

An hon. MEMBER: Move the Second Reading.

DR. MACGREGOR moved that the Bill be read a second time.

Motion made, and Question proposed, "That the Bill be now read a second time."—(Dr. Macgregor.)

THE MARQUESS OF CARMARTHEN (Lambeth, Brixton): Is it in Order for a private Member to move a Government Bill?

MR. SPEAKER said, it was competent for an hon. Member to do so.

THE MARQUESS OF CARMARTHEN said, he should move the adjournment of the Debate.

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MR. SPEAKER asking for a date to be fixed,

\*DR. MACGREGOR said, he could not be responsible for the Government in this matter. He simply wanted to know whether the Government proposed to adopt the course he had suggested, and he hoped some one was present who would be able to answer?

Objection being taken to Further Proceeding, Second Reading deferred till To-morrow.

#### CANAL TOLLS AND CHARGES PROVISIONAL ORDER (No. 4) (BIRMINGHAM CANAL) BILL.—(No. 252.)

Read the third time, and passed.

#### TRAMWAYS ORDERS CONFIRMATION (No. 1) BILL [*Lords*].—(No. 306.)

Read the third time, and passed without Amendment.

#### COPYHOLD CONSOLIDATION BILL [*Lords*].

Read the first time; to be read a second time upon Monday next, and to be printed. [Bill 344.]

#### CHARITABLE TRUSTS ACTS AMENDMENT BILL [*Lords*].—(No. 296.)

Considered in Committee, and reported, without Amendment; Bill read the third time, and passed.

#### SETTLED LAND ACT (1882) AMENDMENT BILL.—(No. 320.)

Order for Second Reading read, and discharged.

Bill withdrawn.

#### AGRICULTURAL EDUCATION IN ELEMENTARY SCHOOLS BILL.—(No. 59.)

Order for Second Reading read, and discharged.

Bill withdrawn.

#### CROWN LANDS BILL.—(No. 4.)

Reported from the Select Committee, with Minutes of Evidence.

Report to lie upon the Table, and to be printed. [No. 252.]

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Minutes of Proceedings to be printed. [No. 252.]

Bill, as amended, re-committed to a Committee of the Whole House for Friday, and to be printed. [Bill 343.]

#### FOOD PRODUCTS ADULTERATION.

Report from the Select Committee, with Minutes of Evidence, brought up, and read [Inquiry not completed].

Report to lie upon the Table, and to be printed. [No. 253.]

#### VALUATION OF LANDS (SCOTLAND) ACTS AMENDMENT BILL [Lords].

Read the first time; to be read a second time upon Monday next, and to be printed. [Bill 345.]

#### TRUSTS ADMINISTRATION.

The Select Committee on Trusts Administration was nominated of,—Mr. Butcher, Dr. Farquharson, Mr. Heneage, Mr. Kimber, Sir George Osborne Morgan, Mr. Arthur O'Connor, Sir Charles Pearson, Sir Henry Roscoe, Mr. Solicitor General, Colonel Howard Vincent, and Mr. Warmington:

Ordered, That the Committee have power to send for persons, papers, and records:

Ordered, That Five be the quorum.—(Mr. T. E. Ellis.)

#### NATIONAL EDUCATION (IRELAND) (BUILDING GRANTS).

Return [presented 31st July] to be printed. (No. 250.)

#### EAST INDIA REVENUE (OPIUM).

Return [presented 31st July] to be printed. (No. 251.)

#### ADJOURNMENT.

Motion made, and Question proposed, "That this House do now adjourn."

#### BUSINESS OF THE HOUSE.

MR. AKERS-DOUGLAS (Kent, St. Augustine's) asked when the Equalisation of Rates Bill would be taken.

THE PARLIAMENTARY SECRETARY TO THE TREASURY (Mr. T. E. ELLIS, Merionethshire) said, that if the Evicted Tenants Bill was finished to-morrow (Thursday) the Equalisation of Rates Bill would be the first Order on Friday.

MR. BARTLEY (Islington, N.): Will that stage of the Equalisation of Rates Bill be completed before the next stage of the Evicted Tenants Bill is taken?

MR. T. E. ELLIS: I cannot promise that we shall go on with the Bill beyond Friday, but the Chancellor of the Exchequer will make a further statement to-morrow.

SIR H. MAXWELL (Wigton): What are the intentions of the Government with regard to the Local Government (Scotland) Bill? Are the Government aware of the exceeding inconvenience to Scotch Members of being detained in London at this season of the year, and of being uncertain as to when Scotch business will be disposed of?

MR. T. E. ELLIS: The Chancellor of the Exchequer will make a statement on that point to-morrow, but I do not think he will depart from his original intention of not proceeding with the Scotch Bill until the Committee stage of the Equalisation of Rates Bill is disposed of.

In reply to further questions,

MR. T. E. ELLIS said, that if the Evicted Tenants Bill took up a portion of Friday the Equalisation of Rates Bill would be taken on the same evening.

MR. CHANNING (Northampton, E.): What will be the second Order to-morrow?

MR. T. E. ELLIS: The Building Societies Bill.

SIR A. ROLLIT (Islington, S): What business will be taken after that?

MR. T. E. ELLIS: The other Bills in their order.

MR. TOMLINSON (Preston): Does the Government intend to set apart any time for the Railway and Canal Traffic Bill?

MR. T. E. ELLIS: The hon. Member had better give notice of that question to-morrow.

House adjourned at twenty minutes before Six o'clock.

## HOUSE OF LORDS,

Thursday, 2nd August 1894.

## SAT FIRST.

Lord Coleridge, after the death of his father.

## CHARITABLE TRUSTS ACTS AMENDMENT BILL [H.L.].—(No. 12.)

Returned from the Commons agreed to.

## INDUSTRIAL SCHOOLS BILL [H.L.].—(No. 152.)

Returned from the Commons agreed to.

TRAMWAYS ORDERS CONFIRMATION (No. 1) BILL [*Lords*].—(No. 43.)

Returned from the Commons agreed to.

## LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 15) BILL.—(No. 126.)

Returned from the Commons with the Amendments agreed to.

## EDUCATION PROVISIONAL ORDER CONFIRMATION (LONDON) BILL [H.L.].—(No. 55.)

Returned from the Commons with the Amendments agreed to.

## ELEMENTARY EDUCATION PROVISIONAL ORDERS CONFIRMATION (BARRY, &amp;c.) BILL [H.L.].—(No. 54.)

Returned from the Commons with the Amendments agreed to.

## STATUTE LAW REVISION BILLS AND CONSOLIDATION BILLS.

Message from the Commons that they have added a Member to the Joint Committee on Statute Law Revision Bills and Consolidation Bills as requested by their Lordships.

## CHIMNEY SWEEPERS BILL.—(No. 192.)

Amendments reported (according to Order), and Bill to be read 3<sup>a</sup> To-morrow.

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## BRITISH MUSEUM (PURCHASE OF LAND) BILL.—(No. 173.)

House in Committee (according to Order): Bill reported without Amendment; Standing Committee negatived; and Bill to be read 3<sup>a</sup> To-morrow.

## CANAL TOLLS AND CHARGES PROVISIONAL ORDER (No. 11) (LAGAN, &amp;c., CANALS) BILL.

Brought from the Commons; read 1<sup>a</sup>; to be printed; and referred to the Examiners. (No. 197.)

## CANAL TOLLS AND CHARGES PROVISIONAL ORDER (No. 4) (BIRMINGHAM CANAL) BILL.

Brought from the Commons; read 1<sup>a</sup>; to be printed; and referred to the Examiners. (No. 198.)

House adjourned at twenty-five minutes before Five o'clock, till To-morrow, a quarter-past Ten o'clock.

## HOUSE OF COMMONS,

Thursday, 2nd August 1894.

## QUESTIONS.

## DUNNET SCHOOL BOARD.

DR. CLARK (Caithness): I beg to ask the Secretary for Scotland whether he is aware that the School Board of Dunnet, Caithness-shire, has been paying a feu duty of £5 annually for the site of the school buildings and schoolmaster's garden of the old parochial school handed over to them by the heritors; that this feu duty was imposed by the heritors on themselves some time before the passing of the Education (Scotland) Act, 1872, and is greatly in excess of the value of the land; whether he is aware that the heritors, three in number at the time, sold to one of themselves the former site of the parochial school building, and, after parting the proceeds of the sale amongst themselves, entered into the above arrangement, whereby they have obtained relief from a burden which they are legally entitled to bear, and have thrown

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An Asterisk (\*) at the commencement of a Speech indicates revision by the Member.

that burden on the general ratepayers; whether he is further aware that the factor for the largest heritor of the parish was chiefly instrumental in carrying out this transaction, and has been Chairman of the School Board for many years, and has resisted all inquiries in regard to the transaction complained of; whether he will cause full inquiry to be made into this matter; and whether there are any other parishes in Scotland that have had a similar burden cast on them?

**THE SECRETARY FOR SCOTLAND** (Sir G. TREVELYAN, Glasgow, Bridgeton): The Department has no knowledge of the facts alleged, and has no means of inquiring into questions of a legal character, nor into the transactions of the heritors in the past. It is the duty of the School Board—the chairman of which is the Free Church minister—to maintain the interests of the ratepayers, and to inform the Department if those interests have in any way been set aside or disregarded. But if any complaint, accompanied by specific details, is sent to the Department I shall ask the School Board for an explanation.

#### THE GODLEY ESTATE, SOUTH LEITRIM.

**MR. TULLY** (Leitrim, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the Land Commission have made any arrangements with regard to the supply of turbary to the tenants on the Godley Estate at Carrigallen, South Leitrim, who have purchased their holdings under the Land Purchase Acts; and whether they can state in what way they propose to distribute the 55 acres of bog in Corrawaldeen and 10 in Crickeen, having regard to the fact that the tenants were in absolute possession of their turf banks until they were induced to take bog tickets some years ago?

**THE CHIEF SECRETARY FOR IRELAND** (Mr. J. MORLEY, Newcastle-upon-Tyne): I am informed by the Land Commission that the tenants who have purchased have, under their Vesting Orders, all rights of turbary over the bogs in the vendor's possession, which they had as tenants. No special arrangements have been made by the Land Commission as to turbary, as it is only in cases where the agreements so

provide that the provisions of Section 31 of the Act of 1891 can be put in force.

#### NATIONAL EDUCATION IN IRELAND.

**MR. JACKSON** (Leeds, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland when the Report of the Commissioners of National Education in Ireland for 1893 will be circulated to Members?

**MR. J. MORLEY**: I am informed by the Stationery Office that the Report has been printed, and that copies will be obtainable at the Vote Office in a day or so.

#### VOLUNTARY SCHOOL FEE-GRANTS.

**MR. BUCKNILL** (Surrey, Epsom): I beg to ask the Vice President of the Committee of Council on Education whether the fee-grant, in the case of many voluntary schools, was, up to April, 1893, paid quarterly, on or before the 1st day of January, April, July, and October; whether, in the case of some schools, a new practice has been introduced, whereby the grant expected on the 30th June, 1893, has been deferred until the payment of the Government grant in August, throwing thereby such schools into arrears of fee-grant and causing a loss of resource for one quarter of a year; and whether he will take the matter into his consideration?

**THE VICE PRESIDENT OF THE COUNCIL** (Mr. ACLAND, York, W.R., Rotherham): There has been no change in the practice with regard to the time of payment of the fee-grant since the fee-grant was instituted, and, therefore, none under the present Government. The practice is, and always has been, that three quarterly instalments are paid on fixed days, and the balance together with the annual grant.

#### BENGAL LEGISLATIVE COUNCIL.

**SIR W. WEDDERBURN** (Banffshire): I beg to ask the Secretary of State for India whether he is aware that dissatisfaction exists among the Bengal community at the apparent favour shown to European Public Bodies in Calcutta in the Rules for representation upon the Bengal Legislative Council, both the European Chamber of Commerce and the European Trades Association having



been authorised to elect representatives, a privilege denied to the National Chamber of Commerce (a larger body than the European Chamber), consisting of Indian merchants, the British Indian Association, which includes all the foremost landholders of the Province, and the Indian Association, which represents the ryots and middle classes; and whether, after looking into the matter, he will arrange for the removal of this ground of complaint; and whether his attention has been drawn to the fact that (as shown at page 6 of the Return of April 26 last, relating to the Legislative Councils in India) one of the two appointments of Europeans, Nos. 9 and 11, recommended by the Calcutta Trades Association and the Bengal Chamber of Commerce, appears to be in contravention of Rule II., Clause D, and final Proviso of the Regulations printed at page 19 of the same Return?

\*THE SECRETARY OF STATE FOR INDIA (Mr. H. H. FOWLER, Wolverhampton, E.): I am not aware that dissatisfaction exists among the Bengal community at the apparent favour shown to European Public Bodies in Calcutta in the Rules for representation upon the Bengal Legislative Council. Under the existing Rules the Bengal Chamber of Commerce, which is not an exclusively European Association, is the only Commercial Body entitled to recommend a member of the Bengal Legislative Council. The Trades Association was informally consulted by the Lieutenant Governor as to one of the appointments which he recently had to make; but he was in no way bound to consult them or to act on their advice. Eight of the ten non-official members are native gentlemen, and I see no reason for intervening in this matter, which, under the Act, is left to the discretion of the Lieutenant Governor. The hon. Member will see from what I have stated that there is no contravention of Rule II. (D) and the final Proviso of the Regulations printed at page 19 of the same Return. Mr. Womask was appointed by the Lieutenant Governor under Rule III.

#### LONDONDERRY BARRACKS.

MR. ROSS (Londonderry): I beg to ask the Secretary of State for War when he will be able to introduce the Provisional Order Bill required for the pur-

poses of the erection of the new Londonderry Barracks?

THE FINANCIAL SECRETARY TO THE WAR OFFICE (Mr. WOODALL, Hanley) (who replied) said: The plans of Londonderry Barracks have been completed, but unfortunately we have not been able to agree upon terms for the acquisition of the land, and the time at disposal during the present Parliamentary Session is not sufficient to allow of compliance with the Standing Orders of the two Houses relating to Bills of this character.

MR. ROSS: Why were not the compulsory powers put in force?

\*MR. WOODALL: That could only be done with the sanction of Parliament, and there is not time to get it in this Parliament.

MR. W. JOHNSTON (Belfast, S.): Does the hon. Gentleman mean this Parliament or this Session?

MR. WOODALL: This Session, of course.

#### IRISH LAND AGENTS AS MAGISTRATES.

MR. FIELD (Dublin, St. Patrick's): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware of the fact that many land agents in Ireland are also Justices of the Peace, and that some of them have utilised the position to quietly carry out technical powers without giving the required statutable notice in regard to evictions and other matters; whether he will cause the Lord Chancellor to make inquiry into such violations of the law; and whether he will advise the discontinuance of appointing land agents to the Magistracy?

MR. J. MORLEY: There are a considerable number of gentlemen holding the Commission of the Peace who are also land agents. The practice referred to in the question as to not giving statutable notices in regard to evictions and other matters has not come under the notice of the Lord Chancellor in any case. If a Magistrate should be found to have been guilty of a violation of the law, the Lord Chancellor will take prompt notice of such action. The question of discontinuing the appointment of land agents to the Magistracy will be referred to the Lord Chancellor, as the discretion in the matter will rest with him.

## LUNACY IN IRELAND.

DR. KENNY (Dublin, College Green): I beg to ask the President of the Local Government Board whether, in view of the fact that the Report of the Lunacy Commissioners (England) for the year ending 31st December, 1893, shows that the total number of registered lunatics in England and Wales amounts to 92,067, or one in every 336 of the population, and an increase of 2,245 over 1892, the largest annual increase yet registered, and that whilst said Report shows that 15·4 per cent. of all registered lunatics are due to heredity and 26 per cent. to intemperance, that still much difference of opinion prevails amongst alienists as to the exact causes of the great increase of lunacy observed in other countries as well as in Great Britain, he will recommend Her Majesty's Government to enter into negotiations with foreign Governments for the appointment of an International Commission to inquire into this most important and urgent subject?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. ASQUITH, Fife, E.) (who replied) said: I have referred the question to the Commissioners in Lunacy, who report to me as follows:—It will be seen by a reference to page 6 of the 48th Report of the Commissioners in Lunacy for 1893, lately presented to the Lord Chancellor, that they are of opinion that there is no disproportionate increase of insanity, or, at all events, none at all material in England and Wales. The increase in the number of officially-known lunatics is thus dealt with in the Report:—

“The increase in the number of officially-known lunatics is a very different thing, and is due mainly, if not altogether, to accumulation resulting from a diminished discharge rate, as has been well shown in the General Report of the Registrar General on the recent Census. From this Report, also, we learn that the increase in the total number of enumerated lunatics in the Census of 1881 over the number in 1871 was 15,484, while the corresponding increase in 1891 over 1881 was only 12,880, being a diminution of 2,600 in the decennial increase; and the diminution, occurring contemporaneously with an increase of the general population, would seem to support the opinion we have above expressed. The accumulation has been aggravated by (with other causes) the change of feeling which has undoubtedly occurred in the poorer classes, and which now leads them, without reluctance, to see placed in asylums insane and mentally worn-out members of their families whom they would formerly have retained in their homes.”

The matter is, however, one of great importance, and I will consider the hon. Gentleman's suggestion.

DR. KENNY said, he was much obliged to the right hon. Gentleman for his answer. The Commissioners, however, seemed to beg the question in their Report as to the cause of the increase in insanity. He hoped the right hon. Gentleman would go fully into it.

## WEXFORD GRAND JURY.

MR. FFRENCH (Wexford, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland is he aware that Mr. J. J. Percival, junior, who is on the Wexford Grand Jury, lives in lodgings and does not contribute anything to the county cess; who is responsible for his appointment; and if he will bring in a Bill early next Session to abolish the present Grand Jury system?

MR. J. MORLEY: Neither the Grand Jury nor its officers are under the control of the Executive Government, and the Executive has no means of knowing whether the facts are as alleged in the question. The Grand Jury is appointed by the High Sheriff of the county for each Assizes.

## DRAINAGE LOANS IN IRELAND.

MR. ROSS: On behalf of the hon. and learned Member for Dublin University, I beg to ask the Secretary to the Treasury if he can state how much public money advanced by the Treasury in Ireland, under the Drainage and other Acts for the improvement of property, to tenants who have, since said advances, been evicted from their holdings between the 1st of May, 1879, and the present date at present remains unpaid?

SIR J. T. HIBBERT: It is assumed that the reference of the hon. and learned Member is to loans to tenants in Ireland who have been evicted from their holdings between May 1, 1879, and the present date remaining unpaid under the Land Improvement Acts, often described as the Drainage Acts, and the Land Law (Ireland) Act, 1881; and it is estimated that the amount outstanding in respect of such advances under these Acts as are alluded to in the question is about £20,000.

**MR. ROSS** : If the Evicted Tenants Bill should become law will these tenants share in its benefits ?

**SIR J. T. HIBBERT** : That is a question I cannot answer off-hand.

#### LOCAL GOVERNMENT (SCOTLAND) BILL.

**MR. RENSHAW** (Renfrew, W.) : I beg to ask the Secretary for Scotland whether he will put down the Government Amendments on the Local Government (Scotland) Bill at once, in order that Members may have time for considering them ?

**SIR G. TREVELYAN** : The Government Amendments to the Local Government (Scotland) Bill will be circulated on Saturday morning.

**MR. HOZIER** (Lanarkshire, S.) : I wish to know when the Report stage of the Bill will be taken, and why it should, to the great inconvenience of all the Scotch Members, be postponed until after the various stages of the Equalisation of Rates Bill ?

**THE CHANCELLOR OF THE EXCHEQUER** (Sir W. HARCOURT, Derby) : I have always stated that the Scotch Local Government Bill would come on after the Equalisation of Rates Bill. I was asked to give at least 48 hours' notice, and I take this opportunity of saying that I expect the Bill will come on early next week.

**MR. HOZIER** : Does that mean on Monday or Tuesday ?

**SIR W. HARCOURT** : I cannot say. The Equalisation of Rates Bill comes on to-morrow ; but we cannot say how long it will take. It may require Monday and Tuesday. Then there will be the Report stage of the Evicted Tenants Bill, but in the present circumstances that is not likely to take very long. Therefore, I hope we shall by Monday or Tuesday have disposed of that Bill and of the Equalisation of Rates Bill ; and then, of course, the Scotch Bill will be taken immediately.

**MR. HOZIER** : Will the Report stage of the Scotch Bill be taken before the Report stage of the Equalisation of Rates Bill ?

**SIR W. HARCOURT** : I cannot state that positively. That must depend very much upon the nature of the Amendments to the Equalisation of Rates Bill.

**MR. HOZIER** : Why should the Scotch Bill be postponed until after the Equalisation of Rates Bill ?

**SIR W. HARCOURT** : The Government must have a little latitude in the disposal of their own business.

**SIR D. MACFARLANE** (Argyll) : As there must be an interval between the Committee and the Report stages of the Equalisation of Rates Bill, will the Government consider whether the Scotch Bill cannot be taken in that interval ?

**SIR W. HARCOURT** : I will consider the question, and see whether I can give some answer to-morrow.

**\*MR. TOMLINSON** (Preston) asked whether the Government could not find facilities for the Railway and Canal Traffic Bill as well as the Rates Bill ?

[No answer was given.]

#### LORD DE FREYNE ESTATE.

**MR. HAYDEN** (Roscommon, S.) : I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been drawn to the statement in *The Irish Daily Independent* of the 12th July, 1894, from which it appears that Lord de Freyne's tenants have offered, as a settlement of the dispute, that the taxed costs of the injunction motion shall be paid by the tenants ; that the tenants who have been evicted and the tenants against whom eviction proceedings were pending previous to January, 1894, are to pay (where judicial rents have been fixed) two years' judicial rent, less payment on the last year's rent, and to receive a clear receipt to May, 1894 ; that on holdings where judicial rents have not been fixed the future rents shall be settled by arbitration ; that half the cost of ejectment shall be paid by the tenant and half by the landlord ; and that in case the arbitrators cannot fix the rents by 20th July, the time for payment of the first year shall be extended until 20th August, 1894, but that Lord de Freyne has refused to entertain these terms on the ground that they were inadequate ; whether, in view of the refusal of Lord de Freyne to entertain as a voluntary settlement the terms proposed, he will endeavour to secure that the Evicted Tenants Bill shall so pass as to provide that the tenants on the Frenchpark property shall be able to avail themselves of its benefits ; and whether, pending the passing of the Bill, he will con-

sider the advisability of withholding the assistance, by their presence, of the forces of the Crown; at the further trampling down by Lord de Freyne's cattle of the crops sown by the tenants for their maintenance during the coming winter?

MR. MACARTNEY asked whether it was a fact that Archbishop Walsh and the Trustees of Maynooth College were mortgagees of this property; whether they were not the real evictors; and whether, therefore, there was any ground for the persistent allegations that had been made as to the evictions on this estate?

MR. DILLON (Mayo, E.): I would ask whether that question is in Order? I may say that the charge that has been made is, as I know, an absolutely false one.

\*MR. SPEAKER: I cannot say now as to whether it is in Order or not; but as the information is not known to the right hon. Gentleman the Chief Secretary, I think the question had better be put down on the Paper, when I shall be able to judge of it.

MR. J. MORLEY: It is quite true I do not know the facts. In answer to the question on the Paper, I have to say I am informed that the terms offered by the tenants and refused by Lord de Freyne are summarised with substantial accuracy in the first paragraph. With regard to the second paragraph, I am not aware of any reasons why the evicted tenants on this estate should not participate in the benefits to be conferred by the Bill now before Parliament. As regards the last paragraph, the Constabulary will give no assistance whatever to the agent of Lord de Freyne in trampling down by cattle the crops sown by the tenants, though, of course, the Executive cannot in any way abdicate its duty of maintaining the public peace, whatever the Executive may think of the action of the landlord's agent.

MR. HAYDEN asked whether it was not the fact that Lord de Freyne had brought in more cattle in order to trample down the crops of other tenants who had been evicted?

MR. J. MORLEY: That is a fact of which I am not informed.

*Mr. Hayden*

#### WIMBLEDON RIFLE RANGES.

MR. MACDONA (Southwark, Rotherhithe): I beg to ask the Secretary of State for War whether the Committee appointed to take evidence in the matter of the Wimbledon rifle ranges being dangerous to the public using Wimbledon Common has yet made its Report; if so, will he communicate its purport to the House?

\*THE SECRETARY OF STATE FOR WAR (MR. CAMPBELL-BANNERMAN, Stirling, &c.): The Committee have rendered a Report, the purport of which is that the two long ranges—those near the cemetery—must remain closed unless the Volunteer corps concerned and the Putney Burial Board make such arrangements as will enable these ranges to be used in safety. As regards the two short ranges, the Committee recommend that they may be kept open. The hon. Member will, no doubt, have read in *The Times* of to-day the decision of Mr. Justice North with regard to these ranges and the undertaking of the Volunteers on the subject, which seems to promise a satisfactory solution of the question.

#### FLOATING DERELICTS.

MR. MACDONA: I beg to ask the President of the Board of Trade whether the Departmental Committee, appointed to take evidence as to floating derelicts, has yet finished its inquiry; if so, when will its Report be presented to the House?

THE PRESIDENT OF THE BOARD OF TRADE (MR. BRYCE, Aberdeen, S.): I believe that the Committee have finished taking evidence, but that they have not yet been able to complete their Report. I much doubt whether it will be possible to present it before the end of the Session.

#### THE WALTHAM EXPLOSIONS.

MR. HANBURY (Preston): I beg to ask the Secretary of State for War when the Report on the most recent explosion at Waltham will be circulated; and whether, looking to the circumstances of the dismissal of the late superintendent, Colonel McClintock, he will also present the evidence, which includes that of this officer?

MR. CAMPBELL-BANNERMAN: This Report will shortly be presented,

and the Paper will include the evidence, as in the case of the previous Report of the same Committee.

#### STATION HOSPITALS IN INDIA.

**MR. HANBURY:** I beg to ask the Secretary of State for India whether, when the large saving to the Government of India was effected through the institution of station hospitals and the abolition of forage allowances to certain medical officers, it was fully understood by all parties concerned that, in accordance with universal precedent and custom in India, a certain amount of the said saving would be returned as charge pay or staff allowance to medical officers, especially brigade-surgeons in charge of the hospitals, in recognition of the increased responsibilities—military, medical, and financial—imposed upon them; whether it is on record that the claim by these officers for such allowance was considered by the India Office in 1888 to be a just claim; what were the grounds for refusing it; and whether it will now be re-considered?

\***MR. H. H. FOWLER:** I am not aware of any understanding that a portion of the saving effected by the institution of station hospitals in India and the abolition of forage allowance to certain medical officers would be returned as charge pay to the medical officers in charge of such hospitals. There is no record that the claim for such allowance was considered by the Secretary of State for India in 1888 to be a just claim. It was refused on the ground that the pay and allowances fixed for the Army Medical Department in India were intended as remuneration in full for all duties which might devolve on officers of that department. There is no intention of re-considering the previous decision.

#### POLLUTION OF THE FORTH AT CRUICKNESS.

**MR. PAUL** (Edinburgh, S.): I beg to ask the President of the Board of Trade whether his attention has been called to a recent correspondence in *The Scotsman*, complaining that the Forth at Cruickness and other places is contaminated by mud brought from Grangemouth in boats; and whether the Board has any power to prevent what is described in the correspondence as a public

nuisance; and, if so, whether that power will be used?

**MR. BRYCE:** This matter has been engaging my attention for some little time, and I have been in communication with the Harbour Authority respecting it; but as I cannot at present give a full answer, I will ask my hon. Friend to defer his question for some days.

#### PRACTICAL MINERS AS MINES INSPECTORS.

**MR. D. A. THOMAS** (Merthyr Tydvil): I beg to ask the Secretary of State for the Home Department whether he has yet received a communication from the Merthyr Valley Colliery workmen in favour of the appointment of practical miners as Sub-Assistant Inspectors of Mines; whether his attention has been called to the recommendation of the Coroner's Jury on the Cilfynydd Colliery explosion in favour of more frequent inspections of mines; and whether he will re-consider his decision and appoint persons from the ranks of the workmen as Sub-Assistant Inspectors of Coal Mines, as he has recently done for the Merionethshire quarries?

**MR. ASQUITH:** The answer to the first two paragraphs is in the affirmative. I have recently appointed two men of practical experience as workmen to be Assistant Inspectors of Quarries and Metalliferous Mines. This is as far as I can go in the present year; nor can I give any pledge as to the future, except that I will give full consideration to these and other representations in the same sense.

#### THE CITY RATE.

**MR. ALBAN GIBBS** (London): I beg to ask the President of the Local Government Board from what source the rate of 4s. 10d. in the £1, which was stated to be the approximate rate in the City, was taken; and whether he is aware that the rate in the parish of St. Martin Outwich for the last 12 months was 6s. 9d.?

**THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD** (Mr. SHAW-LEFEVRE, Bradford, Central): It appears from Returns received by the Local Government Board that the average rates in the £1 on the Poor Law valuation of the total rates raised in the City of London

during the three years ended at Lady-Day, 1893, were 4s. 8d., 4s. 9d., and 4s. 8d. respectively; and allowing for leakages, which, according to a recent Return amounted to  $3\frac{1}{2}$  per cent., the total average annual rate in the City would be approximately 4s. 10d. The Return published by the London County Council in April last gives a similar result. I do not know what is the total amount of rates levied during the last 12 months in the parish of St. Martin Outwich. That parish, I understand, contains 25 houses with a population of 102. If the rates for the past year were as high as is suggested there must have been a considerable increase as compared with some preceding years, and presumably from some exceptional cause.

MR. ALBAN GIBBS: I will supply the right hon. Gentleman with the figures.

#### ST. KATHERINE'S HOSPITAL, REGENT'S PARK.

MR. CREMER (Shoreditch, Haggerston): I beg to ask the Parliamentary Charity Commissioner whether any changes or reforms have been made in connection with the Charity known as St. Katherine's Hospital, situate in the Regent's Park, since the representative of the Charity Commissioners in this House described it as a "scandal"; and whether the Charity Commissioners are willing to lay upon the Table of the House a statement of the past and present position of the Charity, and the efforts which have been made to effect reforms in its administration?

THE PARLIAMENTARY CHARITY COMMISSIONER (Mr. F. S. STEVENSON, Suffolk, Eye): I must refer the hon. Member to the replies given on the 27th of May, 1889, by the late Mr. W. H. Smith; on the 15th of September, 1893, by the right hon. Gentleman the Member for Merionethshire; and on the 3rd of November, 1893, by the right hon. Gentleman the Member for Midlothian. As the endowment is above the £50 limit, the Charity Commissioners have no power to frame a scheme, except upon the application of the trustees, and no such application has been made. The Lord Chancellor may frame new Rules, if so empowered by Royal Warrant, and it is understood that

the subject is now engaging his attention.

#### THE BEHRING SEA ARBITRATION.

MR. CREMER: I beg to ask the Under Secretary of State for Foreign Affairs if he is now in a position to present a Return of the total cost to this country of the Behring Sea Arbitration?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir E. GREY, Northumberland, Berwick): Certain particulars have yet to be received from Canada, but directly the account is complete a Return of the total cost will be laid.

#### INDIAN TROOPSHIPS.

SIR W. WEDDERBURN: I beg to ask the Secretary of State for India whether three mercantile transports (two of the P. and O. Company and one of the British India Company) have been hired for the coming trooping season, without previously consulting the Government of India, while the *Warren Hastings* and *Clive*, belonging to the Indian Government, and specially constructed for the purpose, were available; whether on previous occasions these two vessels have been employed on the same duty; and what is the cost of the three hired steamers, deducting Coal and Canal Dues?

MR. H. H. FOWLER: It is the case that three steamers have been taken up for the trooping service to India this season. They have been hired at a tonnage rate per month, so that the full cost of the service will not be known precisely till the end of the season. The hiring of transports is conducted by the Director of Transports at the Admiralty in communication with the India Office. The Indian marine steamers *Clive* and *Warren Hastings* were provided for local trooping in Indian waters, and it has not been customary, nor is it desirable, to employ them on the home service except on special occasions.

SIR J. FERGUSSON (Manchester, N.E.): As the Government of India have to pay for the transport, is it not desirable that they should have some voice as to the mode of conveyance?

\*MR. H. H. FOWLER: As to the Government of India paying for the transport, that is a matter of internal administration into which I will not



enter. There are reasons for the course which has been adopted which it is undesirable to state to the House; but if the right hon. Gentleman will have confidence in me to that extent I will explain them to him in private.

#### CHINA AND JAPAN.

**SIR E. ASHMEAD-BARTLETT** (Sheffield, Ecclesall): I beg to ask the Under Secretary of State for Foreign Affairs whether war has been declared between China and Japan; and whether he can give the House any information as to the military and naval operations that have taken place?

The following question also appeared on the Paper on the same subject:—

**MR. WEBSTER** (St. Pancras, E.): To ask the Chancellor of the Exchequer whether several Japanese men-of-war attacked and sunk the merchant vessel *Kow Chung*; whether the *Kow Chung* is a British vessel, and flies the British flag; if this occurred prior to a declaration of war between China and Japan; and, if these facts are correct, what steps the Government propose to take for this outrage on the British flag, and to obtain adequate compensation for the families of the Englishmen who perished by this unusual incident in naval warfare?

**SIR E. GREY**: Perhaps I may be allowed to reply to both of these questions. War has been declared, but we have received no information as to any military or naval operations except the encounter in which the *Kow Chung* was sunk. The *Kow Chung* is a British vessel belonging to the Indo-China Steam Navigation Company chartered to the Chinese for the conveyance of troops. The hon. Member has, no doubt, observed that the accounts of what has taken place are most conflicting, and till the facts are placed beyond dispute I cannot make a statement as to compensation. The Japanese Government have, however, informed us spontaneously that they are ready to make full reparation if it is found that their officers were in the wrong.

Subsequently,

**MR. WEBSTER** said, he could not see how this question was connected with that of the hon. Member for Ecclesall. It was not on all-fours. He had

put a definite question as to whether compensation was to be given.

**SIR E. GREY**: I have already said everything that it is possible to say in answer to the question of the hon. Member for Sheffield, and I do not think it necessary to read it out again. I will, however, show to it the hon. Gentleman if he wishes to see it.

#### BRITISH RESIDENTS IN THE TRANSVAAL.

**SIR E. ASHMEAD-BARTLETT**: I beg to ask the Under Secretary of State for the Colonies whether the Transvaal Volksraad have recently passed a law denying the franchise to all foreign residents whose parents have not been naturalised?

**MR. S. BUXTON**: We have not received any official information in reference to this matter.

**SIR E. ASHMEAD-BARTLETT**: But I would ask whether, as this law was passed some three months ago, he will endeavour to obtain this information?

**MR. S. BUXTON**: We have, of course, seen the information in the papers, but we have no official information.

**SIR E. ASHMEAD-BARTLETT**: Can the hon. Gentleman not tell me whether my statement is true? Have we no Representative in the Transvaal from whom he can get the information necessary to give an answer?

**MR. S. BUXTON**: I think we have all the information we require about it; but we have no special official information.

**SIR E. ASHMEAD-BARTLETT**: Is or is not the statement contained in my question a fact? Has such a law been passed, or has it not?

**MR. S. BUXTON**: I believe such a law has been passed.

**\*MR. TOMLINSON** (Preston): Is it not the duty of British Representatives in foreign countries to report to the Home Government any alterations of law affecting British subjects?

**MR. S. BUXTON**: I do not know what the actual duties of British Representatives in foreign countries are.

#### DOMINICA.

**SIR G. BADEN-POWELL** (Liverpool, Kirkdale): I beg to ask the Under

Secretary of State for the Colonies when the Report of Sir Robert Hamilton on the affairs of Dominica will be presented to the House; and whether it will be accompanied by Correspondence indicating the decision of the Government as to the recommendations contained in the Report?

SIR T. ESMONDE (Kerry, W.): I may at the same time ask when Sir Robert Hamilton's Report upon the condition of Dominica will be laid upon the Table of the House?

MR. O'DRISCOLL (Monaghan, S.): I may at the same time ask if the hon. Baronet will state when he expects to be able to lay upon the Table of the House the Report of Sir Robert Hamilton concerning the condition of Dominica?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (MR. S. BUXTON, Tower Hamlets, Poplar): The Report of Sir R. Hamilton, and the observations of the Governor on the Report (both very voluminous), have been most carefully considered. I will lay the Papers as soon as possible, but I regret that I cannot name a date. They will include Lord Ripon's Despatches dealing with the subject.

#### THE BISHOP OF ST. ASAPH AND THE MINISTER OF EDUCATION.

MR. HUMPHREYS-OWEN (Montgomeryshire): I beg to ask the Vice President of the Committee of Council on Education whether his attention has been called to a letter from the Bishop of St. Asaph, which appeared in *The Times* of 31st July, stating that it was much to be regretted that Mr. Acland should have said in his place in the House of Commons that he signed a Circular which he never signed, and further stating that the Circular did not state that the school was undenominational; and whether these statements are in accordance with the facts of the case?

MR. ACLAND: I have seen the letter to *The Times* of July 31st from the Bishop of St. Asaph. The Bishop appears to be under some misapprehension when he states that I said in the House that he signed a Circular which he never signed. The facts are as follows: I was asked on Friday last, in a question by the hon. Member for West Denbigh, whether my attention had been called to a certain Circular, of the year

1888, relating to Ruthin Grammar School. I replied that I had seen it, and I said that it was signed, among others, by the Bishop of St. Asaph, Mr. Cornwallis West, and Sir John Puleston. The date of the Circular—an old Circular of more than six years ago—was before the House. It was obvious, I think, that the only person who could sign the Circular in 1888 as Bishop of St. Asaph was the Bishop of that time, to whom, of course, I referred. I had no intention of making any misstatement about the present Bishop. With reference to the other statement of the Bishop mentioned in the question, which runs as follows: "The Circular did not state that the school was undenominational," it is sufficient to quote from the Circular, which I have in my hand to-day, as I had on Friday last, the following words:—"The school is undenominational." The rest of the sentence, which it is not really necessary to quote for this purpose is as follows: "and the pupils are not subject to any religious test." The exact date of the Circular is 12th May, 1888.

#### EVICCTIONS IN COUNTY SLIGO.

MR. DILLON (Mayo, N.): On behalf of the hon. Member for North Leitrim, I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the case of James Mullarkey, of Toulistrane, County Sligo, who was in 1883 evicted by the mortgagees of the estate from his farm of 64a. Or. 12p., held at £100 a year; is he aware that Thomas Clarke, of Tobercurry, bailiff to Lord Harlech and others, was put into the farm then at the rent of £77 a year, and never tilled any of it since; whether he is aware that Mullarkey afterwards became entitled to £700 out of the lands of Drummartin, whereupon the mortgagees of the townland of Toulistrane issued a writ of summons against Mullarkey for £450, for which they got a charging order; whether, notwithstanding that the rent was thus satisfied, Mullarkey has ever since been deprived of his farm, besides the balance of the £700, and is now in a state of destitution; and whether he will make inquiry into the circumstances of the case?

MR. J. MORLEY: The facts appear to be correctly stated. The arrears of

rent were not paid until 1885, when the period within which Mullarkey could have obtained a writ of restitution had expired. I am informed that all the dealings with the estate, including the acceptance of Thomas Clarke as tenant, were carried out by order of the Court of Chancery. Clarke uses the farm for grazing purposes, and Mullarkey, I am informed, has no employment and no means at present.

#### THE NATIONAL GALLERY OF IRELAND.

DR. KENNY: I beg to ask the Secretary to the Treasury whether he will take steps to put the grant in aid to the National Gallery of Ireland on a similar basis to that of the grant to the National Gallery of England; i.e., to permit it to accumulate from year to year, at the discretion of the Commissioners, and to allow the Commissioners to carry over the unspent balance of the grant from one financial year to the following year, so as to allow accumulation for the purpose of purchasing more valuable works than can be acquired under the existing system?

THE SECRETARY TO THE TREASURY (Sir J. T. HIBBERT, Oldham): The Treasury have received no complaints of the working of the system of dealing with the annual grants to the National Gallery in Ireland, which has been long in force, and I am not aware that any portion of the grant has been surrendered to the Exchequer of late years; but I am afraid that it would not be possible to turn the annual grant into a "grant in aid" unless there was an endowment in aid of which it could be granted.

#### FLOODS AT BELEEK.

MR. KNOX (Cavan, W.): I beg to ask the Secretary to the Treasury whether he is aware that great discontent is felt among the farmers along the Upper Erne at the delay of the Local Drainage Authority in opening the sluice gates at Beleek, thus flooding the lands and allowing so great a mass of water to accumulate that it cannot be allowed to run off quickly without damaging the lands below Beleek; and whether, having regard to the large sums which have been spent on the drainage scheme, the Board of

Works will take steps to advise the Drainage Board as to the proper management of the sluices until a more representative Local Authority can be constituted?

SIR J. T. HIBBERT: No, Sir; I am not aware of the circumstances stated in the first paragraph. The matter has, however, been referred to the Local Drainage Board for their observations. The Board of Works are not empowered by Statute to undertake responsibilities with respect to the management of sluices, which is entirely in the hands of the Drainage Board.

MR. DANE (Fermanagh, N.): Will the right hon. Gentleman inquire into the circumstances and into the insufficiency of the Rules?

SIR J. T. HIBBERT: I have no power to interfere.

#### RABIES.

MR. KNOX: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to a resolution of the Cavan Board of Guardians, pointing out the necessity of power being given to the Local Authority to order the destruction of animals affected with rabies, paying compensation to the owners; whether the Privy Council will consider the reasons given in favour of the proposed change; and whether he is aware that in a recent case the Board were not allowed to give compensation for cattle slaughtered by order of the Veterinary Inspector, on the ground that they had been bitten by a mad dog, but were informed that they could only give compensation when an Order of the Board had been made previous to the slaughtering?

MR. J. MORLEY: Attention has been drawn to the resolution referred to. The reasons given in favour of the proposed change will be considered with a view to the issue of such an Order as may be deemed necessary. In the case indicated in the third paragraph, in which the Guardians inquired whether they could pay compensation for cattle slaughtered in consequence of having been bitten by a supposed rabid dog, they were informed that Local Authorities were not empowered to pay compensation in such cases.

HER MAJESTY'S THEATRE, PALL MALL.

MR. KNOX : I beg to ask the Secretary to the Treasury what are the conditions as to building in the lease from the Crown of the site of Her Majesty's Theatre in Pall Mall, which now lies vacant ; who is the lessee ; whether the property is, in effect, in the hands of the mortgagee ; and whether he can state the name of the mortgagee ; and whether he will take any steps within his power to enforce the conditions of the lease ?

SIR J. T. HIBBERT : The site of Her Majesty's Theatre is held under building agreements entered into between Mr. G. H. Tod Heatly and the Commissioner of Woods, the conditions of which provide for the completion of the new buildings before March 31, 1896. There have been difficulties not unnatural in the carrying out of so large a scheme of re-building which have led to delay, but the Crown's interests have not been prejudiced thereby at present. The Commissioner of Woods is not, however, satisfied with the present position of matters ; and unless progress should be made at an early date with the works, it may become necessary to take more active steps on the part of the Crown. It is understood that Mr. Tod Heatly's interest is mortgaged, but the Crown rent is still paid by him.

MR. KNOX : Is not Lord Clanricarde the mortgagee of Mr. Tod Heatly's interest ?

SIR J. T. HIBBERT : I believe that that is a fact.

#### BELFAST TELEGRAPH OFFICE.

MR. KNOX : I beg to ask the Postmaster General whether his attention has been called to the complaint that substitutes, at 12s. a week, are employed to do a great part of the work in the Belfast Telegraph Office ; what is the maximum, and what the minimum, number of such substitutes employed at any one time during the past 12 months ; and whether many of these substitutes are employed at night work ?

THE POSTMASTER GENERAL (Mr. A. MORLEY, Nottingham, E.) : In addition to the 137 Established officers, I find that on an average 12 substitutes have been employed during the past year in the Belfast Telegraph Office. It cannot be said, therefore, that the substi-

tutes do a great part of the work. The maximum number of such substitutes employed in any one week during the past 12 months is 15, the minimum number 5. Until recently one or two of these substitutes were regularly employed on duties terminating at 1.30 a.m. ; but about a fortnight ago arrangements were made to relieve youths under 18 years of age from attendance after 11.45 p.m.

#### THE EDUCATION MINISTER AND VOLUNTARY SCHOOLS.

MR. HARRY FOSTER (Suffolk, Lowestoft) : I beg to ask the Vice President of the Committee of Council on Education if he is aware that in certain cases Her Majesty's Inspectors have notified managers of voluntary schools that they will require marching space to be provided in the infants' department ; is this marching space included in the eight square feet basis specified in the Code as suitable provision ; and if it is not, what further provision can be required under this head, and by what authority ; and will he consider the advisability of not withholding any portion of the variable grant under Article 98 of the Code on the ground that the accommodation or the teaching staff approach too closely to the limits laid down by the Department, although they do not exceed them ? I beg also to ask the right hon. Gentleman whether the Department have reduced the variable grant under Article 98, Section (b), of the Code, in the case of Christ Church Voluntary School, Lowestoft, notwithstanding the fact that the school has earned the excellent merit grant for many years past ; what is the reason for such reduction ; is he aware that the reduction, amounting to about £25, is a very serious matter to the school, and may lead to its being closed ; what is the number of school places in the said school as recognised by the Department, and the average attendance for the last school year reported upon ; and will he inquire into the matter personally, with a view to cancelling the reduction ? And I further desire to ask the right hon. Gentleman whether, if the managers of Christ Church Infant School, Lowestoft, should refuse to admit children up to the limit of accommodation recognised by the Department, they will endanger their whole grant from the Department ; while if they admit

children up to the recognised limit, or even up to last year's average only, they are liable to reduction of the grant for crowded accommodation; and whether he is aware that the school in question is one of the brightest, best lighted, and healthiest schools in Lowestoft?

**MR. ACLAND:** The three questions of the hon. Member appear all to refer to the Christ Church Infants' School at Lowestoft. I have directed a special inquiry on the whole matter to be made by Mr. Sharpe, Her Majesty's Senior Chief Inspector, who will visit Lowestoft at an early date for that purpose. He will inquire into the reason for the payment of the variable grant at the middle rate of 4s., instead of at the highest rate of 6s., as well as into the other points mentioned by the hon. Member—the marching space and the premises generally. I shall be happy to communicate any decision arrived at in the matter to the hon. Member after I have had an opportunity of considering Mr. Sharpe's Report.

**MR. HARRY FOSTER:** I should like to point out that one of my questions raises a general principle, and does not specifically refer to this school.

**MR. T. M. HEALY (Louth, N.):** Is the hon. Member entitled to put a question of principle?

**MR. ACLAND:** I can only say I will give this matter close personal attention.

#### EVICTED FARMS ON THE MASSAREENE ESTATE.

**MR. T. M. HEALY:** I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that District Inspector Browne, Royal Irish Constabulary, Drogheda, has been in the habit of sending a horse to grass gratis on the evicted farms at Collon, on the Massareene Estate, County Louth, and of requiring the mounted constable at Collon to look after the horse daily; and whether the Inspector General will take any action in the matter?

**MR. J. MORLEY:** The District Inspector to whom the matter has been referred states that there is no truth in the allegations in question.

**MR. T. M. HEALY** asked if the right hon. Gentleman inquired of anyone besides the District Inspector?

**MR. J. MORLEY:** The proper course is to apply to the officer in charge. The incident that originated the report would appear to be this: that some years ago a Shetland pony belonging to the wife of the officer in question grazed a farm in the locality.

#### BUILDING SOCIETIES.

**MR. JACKSON:** I beg to ask the Secretary to the Treasury when the Return of Building Societies, moved for on 11th January, will be circulated to Members?

**THE UNDER SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. GEORGE RUSSELL, North Beds.):** The whole of the manuscript of this Return has been in the hands of the printers since the 17th ultimo, when it was ordered to be printed by the House. I understand from the printers that tables of figures such as the Return consists of take longer to print than mere letterpress. They will, however, lose no time in setting up the type, and will send on the proof in instalments to the Home Office, where there will be no delay in correcting it.

**MR. JACKSON:** Can the hon. Gentleman give any indication when we may expect it?

**MR. GEORGE RUSSELL:** No, Sir; it is impossible to do that.

#### COLDBATH FIELDS MONEY ORDER OFFICE.

**MR. E. H. BAYLEY (Camberwell, N.):** I beg to ask the Postmaster General whether, pending the alterations to the Money Order Office in Coldbath Fields, he will arrange for the staff to be accommodated elsewhere, Lord Playfair and Dr. Corfield having reported that is not justifiable to continue the use of the offices in their present condition; whether the floor of the chapel will be raised within four of the windows as suggested; and whether the use of the lower rooms will be discontinued?

**MR. A. MORLEY:** I must refer the hon. Member to the answer I gave on Friday last to the hon. Member for the Watford Division, that the alterations to the Money Order Office can be carried out without interruption to the use of the building. The answer to the last paragraph is in the negative. It is not pro-

posed to raise the floor of the old chapel, but the windows are being altered in accordance with the recommendation in Lord Playfair and Dr. Corfield's Report.

#### THE APPLIEDORE CONTRACT.

MR. FIELD: I beg to ask the President of the Board of Trade whether it is a fact that the Board of Trade have given their sanction to the Appledore contract; whether he is aware that formerly the work was looked after by a Board of Trade Surveyor, but since the recent appointment of a London foreman shipwright the surveying is not closely watched; whether supervision is now used to see that the work is properly done; and whether the names and amounts of the various tenders will be supplied when the contracts are finished as agreed upon with respect to certain Admiralty contracts?

MR. BRYCE: The statutory sanction of the Board of Trade has been given to the Appledore contract accepted by the Commissioners of Irish Lights. The Commissioners formerly obtained the services of the surveyors of the Board of Trade to superintend the repairs of their light vessels, but this work is now done by their own foreman shipwright under the direction of their Inspector of Lights. They inform me that the superintendence is done in a most thorough manner, and that the strictest supervision is exercised. The names of the firms tendering and the amounts of the tenders invited by General Light-house Authorities who are not Government Departments have not been heretofore laid before Parliament, and I am advised that in the absence of statutory authority I cannot require this to be done.

MR. FIELD: Will the right hon. Gentleman inquire if the Fair Wages Resolution is enforced in the matter of this contract?

MR. BRYCE: The Board of Trade did communicate with the Commissioners of Irish Lights on the question, and they required that they did not feel bound to make any inquiries on the subject.

MR. FIELD: Am I to understand the Board of Trade are in favour of sending Irish work over to England?

MR. BRYCE: The hon. Member must certainly understand nothing of the kind. The fact is, we have nothing to

do with the acceptance of these contracts. I can do nothing further than exercise a purely financial control.

MR. FLYNN (Cork, N.E.): Is the Irish Board responsible to no authority in this House for failing to carry out the Fair Wages Resolution?

MR. BRYCE: I think not. It is not a Government Department. It considers it is not bound by the Resolution of the House.

MR. FIELD: Will the Board of Trade, in conjunction with the Chief Secretary, endeavour to reform the constitution of the Board?

MR. BRYCE: As my right hon. Friend stated the other day, that matter is engaging the attention of Irish Office and of the Board of Trade.

MR. W. JOHNSTON: Does the right hon. Gentleman intend to use coercion in the matter?

[No answer was given.]

#### THE CONVERSION OF THE INDIAN FOUR PER CENT. RUPEE LOAN.

MR. COHEN (Islington, E.): Will the Secretary for India inform the House what has been the result of the conversion of the Four per Cent. Indian Rupee Loan?

\*MR. H. H. FOWLER: On the 30th of June last the Secretary of State sanctioned the compulsory conversion of the 1842-43 Four per Cents. into Three-and-a-Half per Cents., and at the same time, gave holders of the other rupee loans the option of a similar conversion. The amount of the 1842-43 loan was 2,732 lakhs of rupees. Of these, according to a telegram from India, 2,459 lakhs have been actually converted, and 61 lakhs more have been deposited for conversion, the owners being at present unable by reason of absence to give the formal signature required. This leaves a balance of only 212 lakhs unconverted, but more than half of this is in the country treasuries, from which full returns of the conversion have not yet been received. The other Four per Cent. Rupee Loans amounted to about 6,777 lakhs, of which 1,326 lakhs have already been tendered for conversion. Thus, the total amount of Four per Cent. Rupee Debt tendered for conversion is 3,946 lakhs out of 9,509 lakhs, or more than two-fifths of the whole. I hope the



House will think this—as indeed the Indian Government hold it to be—a most successful result.

JABEZ BALFOUR.

MR. STUART-WORTLEY (Sheffield, Hallam): I beg to ask the Under Secretary of State for Foreign Affairs whether it is true, as stated in to-day's newspapers, that Jabez Balfour is on his way to this country?

SIR E. GREY: We have not received any confirmation of that report, nor any information with regard to it.

#### THE RAILWAY AND CANAL TRAFFIC (AMENDMENT) BILL.

MR. TOMLINSON: Can the Chancellor of the Exchequer undertake to offer any facilities for this Bill?

SIR W. HARCOURT: I am happy to hear from my right hon. Friend the President of the Board of Trade that the negotiations with the parties are in such a favourable state that he hopes to be able to go on with the Bill.

MR. TOMLINSON: Does that mean that time will be given to discuss it?

SIR W. HARCOURT: That is certainly my meaning. If an agreement between the parties is arrived at, the Bill will come before the House in its natural form.

MR. TOMLINSON: What will happen if no agreement is come to? This is a Bill which interests a very large number of people, and the right hon. Gentleman must not take it for granted that any arrangement will be binding on all of us. It is a matter of public importance, and I ask if an opportunity will be given to discuss it?

MR. BRYCE: This is a Bill which I hope is in such a condition that, with certain amendments, both parties in the House will be able to allow it to pass. I cannot say more than this at present.

#### THE INDIAN BUDGET.

MR. GOSCHEN (St. George's, Hanover Square): May I inquire whether the Chancellor of the Exchequer can give the House any information as to whether a time can now be fixed for the desired Debate on Indian finance? If the right hon. Gentleman cannot now name a day, I hope, at any rate, that due notice will be given, so that hon. Mem-

bers who wish to take part in the Debate may make arrangements to be present.

SIR W. HARCOURT: Due notice will certainly be given. I recognise the great importance of the subject, and hope that, at the beginning of next week, I may be able to name the day when the discussion can take place.

#### ORDERS OF THE DAY.

#### EVICTED TENANTS (IRELAND) ARBITRATION BILL.

COMMITTEE. [*Progress, 1st August.*]

Bill considered in Committee.

(In the Committee.)

Clause 4.

Amendment proposed, in page 3, line 38, after the word "house," to insert the words "or offices."—(*Mr. Clancy.*)

Question proposed, "That the words 'or offices,' be there inserted."

MR. T. M. HEALY (Louth, N.) said, he hoped the Government had given consideration to the matter since last night, and had been able to arrive at a conclusion.

MR. J. MORLEY said, he had considered the point, and was prepared to accept the word "building" in place of "house."

MR. CLANCY (Dublin Co., N.) asked leave to withdraw the Amendment.

Amendment, by leave, withdrawn.

Amendment proposed, in page 3, line 38, to leave out "house," and insert "building."—(*Mr. J. Morley.*)

Amendment agreed to.

Similar Amendment agreed to in line 41.

MR. CLANCY said, he wished to move, in page 3, line 41, after "house," to insert "or offices, or in sowing crops in or stocking the holding." It was ridiculous to send a restored tenant into a holding and leave him naked and unable to make use of his farm. But he did not want to waste the time of the Committee by arguing the matter. He simply made this observation in the hope that the right hon. Gentleman would accept the Amendment.

Amendment proposed, after the last Amendment, to insert the words "or offices, or in sowing crops in or stocking the holding."—(*Mr. Clancy*.)

Question proposed, "That those words be there inserted."

MR. J. MORLEY said, he was sorry to say the Government could not consent to extend the object for which these advances might be made. They had already distinctly declined to extend that object.

MR. T. M. HEALY said, he was sorry to hear this announcement. He believed Sir James Mathew's Commission had made a suggestion that a charge of this kind should be placed by the Guardians on the local rates. That seemed to him a matter that the Government might fairly take into account, leaving it entirely in the discretion of the Arbitrators. The right hon. Gentleman had announced that the Arbitrators would be a body who would have a general view over all these transactions. What difference, then, could it make to the Government, there being a good case for relief of this kind, if the Arbitrators were allowed to give it? The cases where it would be required might only be one, two, or three out of a large number; but in such cases he did not see why the Government should seek to restrict the view of the Arbitrators, especially as it was not proposed to make the operation mandatory.

MR. J. MORLEY said, it was true this was one of the recommendations of the Commission, but there were other recommendations of that Commission which the Government had not been able to embody in the policy of the Bill. It seemed to him that the object of the Amendment was one which they might fairly expect the tenant's friends to effect for him.

MR. SEXTON said, he was still unwilling to abandon the hope that the right hon. Gentleman might consent to adopt, if not the words of the Amendment, at all events some modification of them. He thought "sowing crops" and "stocking the holding" were large words, and it might be desirable to substitute, say, sowing the first crop. Might he remind the right hon. Gentleman of the position in which the incoming tenant would stand, and of the obligation which would lie upon him? He would

have to provide in an ordinary case a year's rent for the landlord and half the sum to be paid to the outgoing tenant, which in some cases might be a considerable amount. These two payments would strain the resources of the incoming tenant. There were about 4,000 tenants. About 2,000 would have the means to sow their crops. Well, £5 or £10 a-piece to the others to enable them to crop their holdings would only mean some £20,000. That would be a small sum to deduct from the £250,000. He did not suppose that one year's rent would amount to more than £20 per tenant, on an average, or a total of £80,000. That would leave £170,000 out of which to satisfy the new tenants. A considerable sum would be left after those tenants were satisfied. Of course, if there was no money left, the Arbitrators would not make grants for cropping; but if there was money left, surely the Arbitrators might be allowed a discretion as to whether or not it should be advanced for cropping the holdings.

MR. J. MORLEY said, he assented to the hon. Member's view that if the Arbitrators had not the money they could not make the advance. But the hon. Member forgot how many applicants for assistance there were likely to be under the Bill. It would not be a wise thing to leave the Arbitrators open to the temptation to make larger grants to some tenants than to others.

MR. SEXTON said, there were 4,000 evicted tenants, each of whom would probably receive about £20, which would make £80,000. There were 1,500 planters who would receive about three years' rent, or £60 each, making £90,000. The £80,000 and the £90,000 would together amount to £170,000, leaving a balance of £80,000, out of which a grant of £20 could be made to each tenant if necessary for a first year's crop. There were many who would not require anything, so that even after this there would be a large surplus left.

MR. T. M. HEALY said, that in cases where there had been a large mass of tenants evicted the calls upon their neighbours would have been heavy. They knew that charity grew cold after a great many years, even in regard to the most deserving cases. The right hon. Gentleman the Chief Secretary said he did not wish to impose upon the Arbi-

trators the temptation to use their funds improvidently. As they had trusted so much to the discretion of the Arbitrators they might go a little further, and trust them to husband their resources. He fancied the way they would work would be this: The landlord would in some cases give his consent; then an order would be made for restoring the tenant. At the moment of restoration an order would be made as to the amount of grant that would be necessary in connection with the order for restoration. The second matter of grant would not form a portion of the first order, but would be held over. The Commissioners would be anxious to see what the total amount of claim on them would be, and what drain there would be on their resources. Under the circumstances, it did not seem unreasonable to say in the Bill that the Commissioners at such and such times should have power to make such and such grant for seeding purposes. The right hon. Gentleman should not forget that Lord Beaconsfield had provided some thousands of pounds for Turkish refugees for the purpose of enabling them to seed their land—a strong order for a British Prime Minister to make in regard to the inhabitants of a foreign country. This was not a large matter, and he hoped the Government would make the concession.

MR. J. MORLEY said, it was true that this was not a large matter. On the previous day he had undertaken to consider between this and the Report whether he could carry out the view of the hon. Member for South Tyrone as to migration. He indicated that he was not himself very sanguine as to the operation being possible, but the intimation that he would consider how far he could entertain this proposal met with great favour from hon. Gentlemen below the Gangway. He would like to observe that a small amount devoted to the purposes of migration would derange the calculation made by the hon. Member for North Kerry.

\*SIR A. ROLLIT (Islington, S.) said, he thought that this question deserved most serious consideration. If the tenants were to be reinstated, and funds were to be devoted to provide buildings, as the House had already determined, the acceptance of the present proposal was but a small step further, and might

be the means of rendering this Bill, if passed, really effective. He would point out that in all the efforts, private and public, in connection with the subject of the dispossessed tenants, the provision of seed had always been an important element. It was one of the powers conferred on the Congested Districts Board, and it was one of those measures of relief which had been recognised equally by Members on either Front Bench. The provision of seed was one of the things recognised as necessary, and for that reason he thought there was strong ground for urging the Government to take this step. He wished to add a word coming direct from the evicted tenants themselves. He had seen many of the evicted tenants, who said that reinstatement without help in the way of stock and seed would be comparatively valueless. He still hoped with the right hon. Gentleman opposite (Mr. Courtney) that there might be a possibility of a compromise on this question, and if such a result were happily arrived at this would prove a most useful power.

MR. W. REDMOND (Clare, E.) said, it would be better for the prospects of the Bill and of the Government of Ireland that other Members of the Opposition should take the same view of this subject as the hon. Member who had just sat down (Sir A. Rollit), who had supported the Amendment. The action of the hon. Member was in strong contrast to that of hon. Members who by their absence had shown the Irish people, and the evicted tenants particularly, that they were absolutely indifferent to their fate. For his own part, he could not understand how it was that the Government refused to accept the Amendment. He did not believe the acceptance of it would mean the expenditure of a large sum of money. The Chief Secretary must know that there were cases of evicted tenants where it could not be necessary to expend much in repairing the property; and there were many cases where no such expenditure would be necessary, and where the balance which was proposed to allow the arbitrator to give might be spent in procuring seed for the tenant. The right hon. Gentleman might have had it brought under his notice that with regard to the tenants of

Lord de Freyne, they were reinstated some time ago not by Act of Parliament, but nevertheless they were reinstated, and that in their case one of the chief difficulties was to procure money for providing them with seed and putting crops into the land. The money was provided at the time in the case of those tenants, but he was sorry to say that since then the crops had been wantonly destroyed by the landlord. Would not the right hon. Gentleman opposite say that it was reasonable that where money was obtainable for buildings, and where they were not necessary, the funds might be expended in assisting the tenants to go back to their farms to crop them and to work them? He could not see why this amount should be confined to the repair of buildings alone, and why it was not just as reasonable to ask that if money of this kind was to be granted to help the tenant to settle again it should not be given to him to help him to crop his land. He hoped the hon. Member for North Dublin would go to a Division on this matter, because the Chief Secretary had given no reason why the Amendment should not be accepted.

MR. HANBURY (Preston) said, that if the Amendment were pressed to a Division he should vote with the Irish Members, because he thought the position of the Government was most illogical. He was not a hearty supporter of the Bill, but he did think that if there were tenants who were to be reinstated it was no use acting in a half-hearted fashion. They were going to lend money for rebuilding houses, but they were refusing grants for what was much more important—namely, re-stocking the farms and buying seed. He had said on previous occasions that there were certain tenants who ought to be reinstated, and his view was that the thing ought to be done thoroughly well and not in a half-hearted way.

MR. T. M. HEALY hoped the right hon. Gentleman would not put them to the trouble of dividing against him. Their request did not amount to a very large order.

MR. SEXTON suggested that the Chief Secretary should consider between this and the Report whether it was not possible to accept the Amendment. They might be able in conference to satisfy

*Mr. W. Redmond*

him that the financial objections were not insuperable.

MR. J. MORLEY: In view of the pressure that seems to come from all parts of the House, I will consent to consider this matter, and, if possible, come to an arrangement.

Amendment, by leave, withdrawn.

MR. CLANCY moved to amend Clause 4 by striking out the words limiting the grant to £50 and inserting words enabling the Arbitrators to make a grant of such sum as they might think fit. He said it appeared to him that if the Government refused to accept such an Amendment as this they would be showing a very poor opinion of the three gentlemen whom they proposed to appoint as Arbitrators. Surely they must leave it to these gentlemen to decide whether the sum of £50 should not be increased in special cases. There were many cases on which not nearly £50 would be required. In some cases perhaps not even £10 would be asked for, but there were a few cases in which £50 would not meet the requirements. He thought it would be a most ridiculous thing if they could not trust to the discretion of the Arbitrators, and if they could not give them a perfectly free discretion and a free hand in the matter.

Amendment proposed, in page 3, line 41, to leave out the words "a sum not exceeding fifty pounds," and insert the words "such sum as they may deem fit."—(*Mr Clancy.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. J. MORLEY: I am afraid that I cannot accept this Amendment. No doubt in many cases £100 would not be an excessive grant, and if we were dealing with an unlimited amount I should be glad to give it. But the sum at my disposal is small, and might possibly be subject to a treble demand for arrears, compensation, and dilapidations, and I therefore cannot afford to make the grant more than £50.

MR. W. REDMOND (Clare, E.) said, he thought that the Government might very well have left this matter to the discretion of the Arbitrators. It was presumed that they were reasonable and

impartial men, and he could not understand why the Chief Secretary should hamper their powers on such a point as this. There were many cases in which £50 would not be sufficient, and if the matter were left to the Arbitrators he did not think any harm could be done. Surely they might be expected to keep their eye on the public money quite as well as the Chief Secretary. He did hope the right hon. Gentleman would accept the Amendment, and not merely meet it in an amiable way and with a pleasant smile by announcing that he would consider it before the Report stage. While he gave the right hon. Gentleman credit for good intentions, he was bound to say the promise to consider the matter before the Report stage was not a very alluring one, because they might anticipate when the Report stage was reached that the Chief Secretary would come to them with an equally amiable manner, but without his smile, and say that he would not accept the Amendment.

MR. J. REDMOND (Waterford) said, he could understand the right hon. Gentleman standing out for some limit with the view of checking nude expenditure on the part of the Arbitrators, but he could not understand how it was that when the right hon. Gentleman proposed to set apart only £100,000 for the purpose he had the limit of £50; and yet now, when he had increased the sum to £250,000, he still retained the same limit.

MR. J. MORLEY said, the argument was a very ingenious one; but his reply was that, though he was only able to put £100,000 in the Bill originally, he had hoped from the first to make the sum larger. Considering how far the Government had gone in putting this proposal in the Bill—and £50 was no inconsiderable sum—he hoped hon. Members would not press the Amendment to a Division. He would relieve the hon. Member for East Clare on this occasion by stating that he could not even promise to reconsider his decision before Report.

MR. SEXTON said, he believed that in most cases £50 would be found to be sufficient, but he would like to ask the right hon. Gentleman whether it would not be possible, while fixing a limit for ordinary cases, to give the Arbitrators a discretion in cases where in their opinion

special and exceptional circumstances existed.

MR. J. MORLEY thought these special and exceptional cases ought to be met by Irish generosity. Did not hon. Members see what an invitation the Amendment, if carried, would be to put pressure on the Arbitrators? He thought it better that that pressure should be faced now. Surely they had some right to expect that such cases should be assisted by Irish generosity and local organisation.

MR. W. REDMOND said, the right hon. Gentleman seemed to think that the object of the Amendment was to extend the limit of £50 in all cases, but that was not their intention. They knew there were some cases in which £50 would not be sufficient; but he thought, bearing in mind that in other cases so much under £50 would suffice, they might in a few cases allow the limit to be extended beyond £50.

SIR G. OSBORNE MORGAN (Denbighshire, E.) was understood to suggest to hon. Members from Ireland that the extension of the limit beyond £50 would seriously restrict the chances of dealing with the claims of the general body of tenants.

Question put.

The Committee divided:—Ayes 104; Noes 54.—(Division List, No. 207.)

Clause 5.

On Motion of MR. J. MORLEY, the following Amendment was agreed to:—Page 4, line 2, leave out, "one hundred," and insert "two hundred and fifty."

Clause, as amended, agreed to.

MR. J. MORLEY moved, in page 4, line 16, after the word "say," to insert—

"Piers Francis White, one of Her Majesty's Counsel in Dublin; George Fottrell, solicitor, Clerk of the Crown for the County and City of Dublin; and Edward Greer, solicitor and legal Assistant Commissioner to the Irish Land Commission."

He said, the Arbitrators would have power to make their own rules as to the form of their procedure.

Question, "That those words be there inserted," put, and agreed to.

DR. KENNY moved an Amendment to omit the second paragraph of Sub-section 4, which provides that, subject to the regulations of the Treasury, the Arbitrators should employ the examiners and valuers of the Land Commission in carrying out the measure. He confessed that he felt little confidence in those officials.

Amendment proposed, to leave out paragraph 2 of Sub-section 4.—(*Dr. Kenny.*)

Question proposed, "That paragraph 2 stand part of the Clause."

MR. J. MORLEY said, he certainly could not assent to the Amendment.

MR. CLANCY asked the right hon. Gentleman to give some reason for his refusal.

MR. J. MORLEY said, that a great saving both of time and money would be secured by employing the examiners and valuers of the Land Commission. Otherwise, a very heavy charge would be incurred, and without the prospect of getting better men for the work. The matter had been carefully considered.

MR. SEXTON said, he recognised that expedition in applying the measure was a point of great importance; and as the appointment of other examiners and valuers might cause considerable delay, he should not support the Amendment.

MR. T. M. HEALY thought that, under the circumstances, the Government had adopted a reasonable course in the matter.

Amendment, by leave, withdrawn.

Question proposed, "That the Clause be added to the Bill."

MR. COURTNEY (Cornwall, Bodmin) said, that on the Second Reading of the Bill he understood the Chief Secretary, when referring to the conduct and duties of the Arbitrators, to intimate that they might sit in private. He did not know whether the right hon. Gentleman had thought the matter out, or spoke merely from personal impression, but he confessed that he heard the remark with some surprise, and, from such attention as he had been able to give to the question, it appeared to him that it would be most undesirable that the Arbitrators should conduct their proceedings in pri-

vate. Considering the difficulties that might arise, and the differences that might have to be decided upon as between petitioner and respondent, he feared that, if the Arbitrators sat and discussed in private, their judgments might not be received with the confidence they ought to be—that the defeated party might, in such circumstances, easily give currency to unfair and inaccurate statements regarding the action of the Arbitrators, and thus cause much dissatisfaction.

MR. J. MORLEY said, he had taken great pains to ascertain the opinion of persons of great weight and experience in Dublin on the point raised by his right hon. Friend, and their judgment was that it would be better to conduct the proceedings in private than in public, for very often in cases of this kind the publicity of the proceedings between the parties were burnished up and exaggerated by public prints, which naturally caused exasperation. He understood that in England Courts of Arbitration were almost invariably private. He reminded the Committee that as the Bill stood it would be in the discretion of the Arbitrators to hold their Court in public or in private. No doubt if they thought a case required publicity they would hear it in public. He thought the matter might be safely left to the discretion of the Arbitrators.

MR. T. M. HEALY said, he thought that, in the interests of the landlords as well as of the tenants, the Arbitrators' Courts should be public. Undoubtedly there were "wastrel" tenants who did not deserve any consideration, and if a man sought the benefits of the Bill and the protection of the Court, whose disasters had been brought about simply by his own misconduct, the landlord should be able to publicly show this. There should be no ground for suspicion that the Arbitrators had been "ear-wigged" beforehand to take particular cases in private. The rule should be for the Courts to be public unless the parties desired the proceedings to be private.

MR. CLANCY said, that it would be impossible to keep the proceedings of the Courts private. If any attempt were made to do so, unauthorised—and perhaps incorrect—reports of what occurred would appear regularly in next day's newspapers.



MR. SEXTON said, that the proceedings of the Courts should be public, to avoid unfounded apprehensions and suspicions. The decisions of the Court would command more public respect if given publicly. He was firmly convinced that the interests of landlords and tenants and the community would be best secured by accepting the suggestion of the right hon. Member for Bodmin (Mr. Courtney), whose suggestions were generally sound and well-considered.

SIR A. ROLLIT said, he agreed in the argument that, generally speaking, the Arbitrators' Courts should be public.

MR. J. MORLEY said, many authorities in Ireland were in favour of the proceedings of the Courts being private, but after the expression of opinion in the House he would further consider the matter.

Clause, as amended, agreed to.

Clause 7.

MR. J. MORLEY moved, in page 5, line 29, at end, insert—

"The expression 'holding' means a holding as defined in The Land Law (Ireland) Act, 1881, which is agricultural or pastoral, or partly agricultural and partly pastoral, in its character, unless the tenancy in such holding has been decided under The Land Law (Ireland) Act, 1881, or any Act amending or incorporating the same, to be a tenancy within the exceptions set forth in Section 58 of the said Act of 1881."

Question proposed, "That those words be there inserted."

MR. T. M. HEALY pointed out that a sub-let holding would be excluded from the scope of the Arbitrators' powers. There were a number of cases in which it had been held that where the lease of a farm contained a covenant that the tenant should give up five acres if the landlord required it for a church or for cottages, and that covenant had been acted upon, the holding would be excluded from the benefits of the Land Act. The Government proposed to import into this Bill all the decisions disqualifying tenants from availing themselves of the provisions of the Land Acts, and to make the evicted tenants the victims of those decisions. It seemed to him that the Amendment, if adopted in its present form, would absolutely stereotype eviction. It seemed to him that, whoever advised the Government to bring in this Amend-

ment, had taken a most unwise course. It was because the Land Act had not been sufficiently general in its application all over Ireland that so many evictions had taken place, and yet it was proposed to exclude from the provisions of this Bill every tenant who had not had the benefit of the Land Act. The result of adopting the Amendment would in his judgment be that every tenant who was excluded from the Acts of 1881 and 1887 as a result of the decisions to which he had alluded would be now held to be incapable of getting the benefit of the Arrears Act, and would practically be regarded as an outlaw from an agrarian point of view.

MR. SEXTON said, this was a very difficult and complicated matter, and he doubted whether the precise effect of the phrases used in the Amendment was within the comprehension of any layman; but he had given them the best consideration in his power, and he thought they were open to comment. The definition of a "holding" in the Land Act of 1881 was "a parcel of land," and the Solicitor General (Sir R. Reid) said that a parcel of land might be held to denote a house. If this was the difficulty to be cured, it could be cured by a less elaborate definition. He feared that the introduction of this definition might have serious consequences in the case of some tenants who would otherwise be entitled to re-admission under the Bill. There were two questions which ought to be kept separate: The first was, as to what tenants had a right to re-instatement? That was a question very proper for the Arbitrators to consider. The second was, what was the legal status of a tenant in regard to a fair rent? This was a subject which need not be treated before the re-admission of the tenant, but might be dealt with afterwards. Yesterday two Amendments were inserted in the Bill, one of them providing that the tenant after re-instatement should have the same kind of tenancy as he would have had if he had not been evicted, and the other providing as to the persons who might have their rents fixed. Under these Amendments the future tenant would be entitled to re-admission, although he never had a right to have a fair rent fixed. If the present Amendment were carried certain classes of present tenants or persons who would have been

present tenants if they had not been evicted would be placed in a worse position under this Bill than that which the future tenant would occupy. The closing words of the Amendment were—

"unless the tenancy in such holding has been decided under The Land Law (Ireland) Act, 1881, or any Act amending or incorporating the same, to be a tenancy within the exceptions set forth in Section 58 of the said Act of 1881."

The exceptions of Section 58 did not apply at all to the future tenant, because they only related to the fixing of fair rent. When the present tenant came forward it would be considered whether he was a person entitled to have a fair rent fixed. The Arbitrators would be obliged, owing to the wording of this Amendment, to decide against a man who might otherwise have a fair rent fixed. This, he thought, was a conclusive reason against the insertion of the latter part of the Amendment. Of course, it was clear enough that the Bill intended that the man to be restored to his holding was to be a farmer and not a townsman; but if the Legislature laid on the Arbitrators a strict obligation to say whether the holding was agricultural or pastoral, it laid upon them the duty of deciding a most complicated legal question. If the decision were given against the landlord, he might set the law in operation against them on the ground that they had decided a question of law against the true meaning of the law. The difficulty would be got over if the Amendment were so altered as to make the opinion of the Arbitrators on the subject final and if the second part of it were left out.

SIR R. T. REID said, this was a purely legal question. It was contended that the words proposed by the Government might have the effect of narrowing the possibility of reinstatement, thereby excluding some of those cases which had been already decided, and putting the evicted tenant in a worse position than the future tenant. That certainly was the intention of the Government; but as the questions had been raised, he would not ask the Committee to accept the Amendment at the present stage, but would suggest that hon. Gentlemen opposite should assist him to get words which would be unobjectionable. It was, of course, a mere question of legal definition.

*Mr. Sexton*

Amendment, by leave, withdrawn.

Clause agreed to.

Clause 8.

SIR A. HAYTER (Walsall) suggested that the short title of the Bill should be altered to "Restoration of Tenants (Arbitration) Bill." The Bill dealt with other tenants besides those who had been evicted, and he thought it would be better to omit the word "Evicted."

Amendment proposed, to leave out the word "Evicted," in order to insert the words "Restoration of."—(*Sir A. Hayter.*)

Question proposed, "That the word 'Evicted' stand part of the Clause."

MR. T. M. HEALY suggested that the short title of the Bill could be altered in the Office without the intervention of the House.

THE CHAIRMAN said, that was not the case. If it were thought needful to alter the short title, it must be done in Committee.

MR. SEXTON observed that in his opinion the best title would be "Former Tenants (Arbitration) Bill."

MR. J. MORLEY: I do not see why we should not make the short title "Tenants Arbitration (Ireland) Bill."

Question put, and negatived.

Amendment proposed, after "arbitration" to insert ("Ireland").—(*Mr. J. Morley.*)

Question, "That ('Ireland') be there inserted," put, and agreed to.

Clause, as amended, agreed to.

SIR R. T. REID moved, in page 5, after Clause 6, to insert the following clause:—

(Application of Act.)

"(1) Where it appears to the Arbitrators that the tenancy in a holding is held for the landlord, or that a person is in occupation of the holding as the nominee of the landlord, they shall deal with the tenancy, and this Act shall apply in like manner as if the tenancy had been determined and the holding were in the occupation of the landlord.

(2) Where it appears to the Arbitrators that part of a holding is in the occupation of the landlord and part in the occupation of a new tenant, they shall deal with each part, and this

Act shall apply in like manner as if it were a separate holding, and the former rent of each part were such portion of the former rent of the whole holding of the Arbitrators fix."

Clause brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

MR. T. M. HEALY pointed out that the case of a letting for temporary convenience had been omitted. It seemed to him absolutely necessary that a mere letting for temporary convenience should not exclude the action of the Arbitrators, and he would, therefore, move that there should be inserted after the second "landlord" in Sub-section 1,

"or that a letting has been made for temporary convenience by the Land Judges' Court or otherwise."

It had always been held, since Mr. Justice Butt gave his famous opinion, that all lettings by the Land Court were for temporary convenience. They came to an end the moment the holding was sold, and at the longest they could only last for seven years. The Act of 1887 enabled a tenancy to be broken by other means than that of shelving him out. The tenant had six months in which to redeem, and frequently the landlord made a letting for temporary convenience. As it was in the option of the landlord still to avail of that old process where the value was over £100, the mere letting for six months during which the redemption might be running would exclude the action of the Arbitrators. It seemed necessary, therefore, that some provision in the case of lettings made for temporary convenience on these evicted farms should be provided for.

Question, "That this Clause be read a second time," put, and agreed to.

Amendment proposed to the proposed new Clause, in line 3, after the word "landlord," to insert the words—

"or that the letting has been made for temporary convenience by the Land Judges' Court or otherwise."—(*Mr. T. M. Healy.*)

Question proposed, "That those words be there inserted in the proposed new Clause."

SIR B. T. REID said, the object of the hon. and learned Member was to prevent the compulsory powers of the

Act being made nugatory by the fact that the landlord had let the holding for "temporary convenience."

MR. T. M. HEALY: That is the expression used in the Land Act.

SIR R. T. REID said, that no doubt that might be a legal term in Ireland, but it was not in this country. It was to be presumed that the hon. Gentleman meant by "a letting for temporary convenience" some arrangement which did not create a tenancy. It was obvious that it was not intended that such an arrangement should prevent the compulsory powers of the Act coming into force. He thought that a temporary letting would amount to the landlord being in occupation, and, if that were so, the Amendment would not be necessary. At any rate, it was impossible, on the spur of the moment, to accept an Amendment of this character. If the hon. and learned Gentleman thought there was room for doubt he would consider the matter before Report.

MR. T. M. HEALY said, the law in Ireland was rather different from what the hon. and learned Gentleman had outlined. Letting for a man's whole life in Ireland had been held to be a letting for temporary convenience. It was, therefore, necessary to be rather guarded in these matters. There was something to be considered why they should not insert the words "letting for temporary convenience," leaving the other questions to a later stage of the Bill. He hoped the Government would see their way to accepting those words.

SIR B. T. REID said, he supposed what the hon. Gentleman meant by the words was some arrangement which did not create a tenancy. It was obvious that it was not intended that such an arrangement should prevent the compulsory powers of the Act coming into force. He thought that that would amount to a case of the landlord being in occupation, and, if that were so, the Amendment would not be necessary. It was impossible on the spur of the moment to accept an Amendment of this character; but if the hon. and learned Gentleman thought it was not clear it should be made clear upon Report.

MR. T. M. HEALY said, he would accept the statement of the hon. and learned Gentleman, and ask leave to withdraw the Amendment.

Amendment, by leave, withdrawn.

MR. SEXTON thought some change was necessary in the language of the second paragraph, because in the fourth line of that paragraph the word "it" was ambiguous, and he would therefore move to omit the word "it," and insert the words "each part."

Amendment agreed to.

Clause, as amended, agreed to, and added to the Bill.

MR. CLANCY moved the following clause standing on the Paper in the name of the hon. Member for the Harbour Division of Dublin (Mr. Harrington):—

(Voluntary agreements.)

"If within one year of the passing of this Act a joint petition with respect to any tenancy of a holding described in Section 1 of this Act be presented to the Arbitrators by the landlord and the former tenant, or by the landlord, former tenant, and new tenant, showing that since the passing of this Act a voluntary agreement has been entered into between the parties by which the former tenant is reinstated in the holding, the Arbitrators may give to the parties respectively such terms as to arrears of rent, compensation, and grant for building as they are empowered to do by this Act in the case of a petition by the former tenant."

Clause brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

MR. J. MORLEY: As I understand it, the clause which my hon. and learned Friend moves is that wherever the landlord, former tenant, and the new tenant agree, or, in case there should be no new tenant, the landlord and the old tenant may come to an agreement reinstating the former tenant in the holding, then the arbitrator may give to the parties respectively—that is to say, the landlord and the new tenant, if there be one—such terms as to arrears of rent, compensation, and grant for building as they are empowered to do by this Act in the case of a petition by the former tenant—that is to say, the voluntary agreement between the parties would give them the benefit of this Act. No doubt that would facilitate the question, but one would have to be quite sure, and the Arbitrators would have to have full powers left them to enable them to make quite sure there was nothing like collusion—that these were

*bonâ fide* cases; otherwise, of course, the purposes of the Act would be frustrated. Unless we find it necessary to insert other words, which we may find it necessary to do afterwards, I think there are objections to the clause.

MR. CLANCY said, he was free to admit that collusion and fraud should be prevented, and if the right hon. Gentleman had any words to insert to make it plain he should be glad to accept them.

SIR A. ROLLIT thought that all would approve of the principle of this clause, which was to facilitate voluntary arrangements; but it appeared to him, as drawn, to be open to another objection which was more serious than the one that had been raised—namely, that this course could be taken by the Commissioners, not on the petition, as in the Bill, of the landlord and the former and the new tenant, but, by the wording of the clause, by the landlord and the former tenant only, and that would exclude the new tenant. He would therefore suggest that at the end of the third line, after "former tenant," they should insert the words—

"or if there be a new tenant, then by the landlord, former tenant, and new tenant."

MR. J. MORLEY: I think the object we have in view is the same. If the hon. and learned Member will withdraw this clause we will undertake to bring up a clause in our own words which, while meeting the wishes of the hon. and learned Member, will be less open to objection.

MR. SEXTON thought it was necessary to provide against fraud and collusion, and he also thought it would be necessary to provide that the former tenant should be a person out of occupation at the time of the passing of the Act.

Motion and Clause, by leave, withdrawn.

MR. T. M. HEALY said, he wished the Government also to consider before the Report stage this further point. There might be such a case that the landlord and the new tenant objected, and therefore the old tenant would be debarred from all hope; but the new tenant might be willing, if he got some sum which otherwise the landlord or the new tenant would get, to depart and surrender all his claims in the holding. It seemed to him that peace might be

preserved by this means, and that it would be very desirable both in the interests of the landlord and the old tenant. Where the landlord objected and the new tenant objected, then apparently the former tenant would take no benefit under this Bill, and therefore he thought there was a necessity for provision to be made and a warning given to the former tenant, if he were willing to surrender his claims, which might not be very large, on the holding, if such a case arose, he might be entitled to be awarded such sum as, had the landlord and the new tenant acceded to the petition, they would have got in his place. He hoped in the interests of peace that upon Report the Government might be able to do this.

MR. J. MORLEY moved—

Title, page 1, leave out "of evicted tenants to their holdings in Ireland," and insert "to their holdings in Ireland of certain former tenants or their personal representatives."

MR. SEXTON thought that the word "their" before "holdings" might cause some difficulty. They had ceased to be the tenants, and the holdings were no longer theirs; therefore, he thought it would be better to omit the word "their."

MR. J. MORLEY: We considered that point, and came to the conclusion that it was better as we have proposed it.

Amendment agreed to.

Bill reported, with an amended Title; as amended, to be considered upon Monday next, and to be printed. [Bill 346.]

#### BUILDING SOCIETIES (No. 2) BILL. (No. 246.)

Bill, as amended by the Standing Committee, considered.

SIR J. LURBOCK (London University) said, in the absence of his hon. Friend the Member for St. Pancras (Mr. T. H. Bolton), he should like to ask the hon. Member in charge of the Bill whether he had considered the new clause standing in the name of the hon. Member, as there seemed to be a good deal to be said for it.

\*MR. SPEAKER: The right hon. Gentleman can move his own clause, but he cannot move the clause standing in the name of another hon. Gentleman.

\*SIR J. LURBOCK said, in that case he would move the clause standing in his own name, and which was as follows:—

(Provisions as to money borrowed in excess of borrowing powers.)

"(1) Where any sum has been borrowed by a Building Society by receiving loans, deposits, or otherwise, and the sum would be recoverable from the Society, if in borrowing the sum the Society had not exceeded the limits of borrowing fixed by its Rules or by the principal Act, that sum shall be recoverable from the Society, notwithstanding that the limits of borrowing has been exceeded.

(2) Where any sum has been so borrowed by a Building Society in excess of the limits fixed by its rules or by the principal Act, those persons who were Directors of the Society when that sum was borrowed shall be jointly and severally liable to pay an amount equal to that sum to the Society."

The object of the clause was that where a Building Society had taken money beyond the limits of its powers the officials who were primarily to blame and not the innocent depositors should be made to suffer. It was very hard that a depositor who could not possibly ascertain whether the Society had exceeded its limits should lose his money if these limits had been exceeded and that the shareholders should get the benefit of it. And this was not an imaginary case. It had been held that in the case of a lady, who had deposited £800 in the Portsea Island Building Society, that as the amount was in excess of that which the Society was entitled to receive she must lose it, and that the shareholders must get the benefit of it. There were many other similar cases. It seemed to him that this was reversing the usual order of things, and giving shareholders a prior claim over depositors. He did not propose this clause in the interest of bankers. The Building Societies Association, of which he was President, thought it was not only prejudicial to their interests, but very hard upon depositors, that an anomaly of this kind should be permitted; and though they were primarily interested in the shareholders, they did not wish the shareholders to receive an advantage to which they were not fairly entitled.

Clause brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

\*COLONEL HUGHES (Woolwich) thought this clause moved by the right hon. Baronet was necessary. In the Second Schedule of the Bill it was proposed to repeal the existing law which

made the Directors responsible if they took on loan more than two-thirds of their borrowing powers. He wished to know what was to be put in the Bill in lieu of the words which were to be repealed? Unless this clause was passed it gave to the depositor whose money had been taken wrongfully in excess of the borrowing powers no remedy against anybody whatever, and that was a very serious matter indeed. The object of the Bill was to strengthen the position of the depositors; and even if these words were not taken out of the Building Societies Act of 1874, it would still be a very desirable improvement, that the remedy of the depositor whose money had been wrongfully taken should be against the Society which had the benefit of the money. At the present moment each individual depositor, seeking to recover a deposit, must sue the Directors, who were in default, and go to the trouble of ascertaining which of the Directors was in default. He knew a case in which a liquidator was applied to for information as to the state of the deposit account at the time his money was lent to the Society, and the liquidator would not give that information in order that the depositor might bring his action, except on payment of some £10 or £15 for a copy of the accounts showing the position of the Society at the time the deposit was made, so that under the present law a depositor had considerable difficulty in recovering that which the law said he had a right to recover. The right hon. Baronet's new clause was to give the depositor so placed the right to go against the Society which had had his money, and the Society had a claim on the Directors for any breach of trust they had committed. In this way hundreds of actions would be saved. This was a highly technical subject, though he understood it, or at all events he had had 40 years' experience with regard to Building Societies, and therefore the House would perhaps excuse him for endeavouring to explain his view. He very much regretted that it was intended to repeal the existing rights of depositors to proceed against the Directors.

\*THE FIRST COMMISSIONER OF WORKS (Mr. H. GLADSTONE, Leeds, W.) said, the point raised by the hon. and gallant Member with regard to the repeal of the existing law required attention.

*Colonel Hughes*

He thought there had been some oversight, and he would undertake that the matter should receive consideration either when the Schedule was reached or when the Bill reached another place. The Government, however, could not accept the proposed clause. It would have a direct tendency to increase the existing borrowing powers of Building Societies, and he thought these powers were already sufficiently ample. The clause would, in addition, introduce an anomalous exception into the general law, which provided that where the Directors of a Corporate Body acted *ultra vires* the consequences of that Act should not rest upon the Society. It was true that the clause gave the Society power to proceed against the Directors; but the class of Directors most likely to break the law were in many cases men of straw, and the burden would therefore fall entirely upon the Society.

MR. BARTLEY (Islington, N.) could not agree with his right hon. Friend. Many of the misfortunes and difficulties into which these Societies got were owing to their having the power of practically unlimited borrowing. He thought that a Society ought not to borrow so close to its margin as to run any possible risk of getting into difficulties. From their inquiries in the Committee it was quite obvious this was a great danger that ought to be avoided. He should support the Government in resisting the proposed alteration.

MR. CLOUGH (Portsmouth) expressed surprise at the observations of the hon. Member, as the Societies under the existing law could only borrow up to two-thirds.

\*MR. BANBURY (Peckham) pointed out that under the clause of the right hon. Baronet the existing law would practically be abolished, and that a Society would virtually be able to borrow any amount of money; because, as the Society would be liable to the lender, whether the borrowing powers were exceeded or not, the lender would be under no inducement to inquire whether or not the Society were exceeding their powers in taking his money, and, therefore, the existing limit would practically be swept away.

MR. GERALD BALFOUR (Leeds, Central) said, if this Amendment was passed the limit would be practically



swept away with regard to borrowing powers. To sweep away the present limit to the borrowing powers of Building Societies would be a very dangerous change to make. He did not see why the members of and investors in Building Societies should be liable for debts, perhaps improperly incurred, if the limit hitherto imposed were no longer to be a reality. The right hon. Gentleman laid the principal stress of his case upon the hardship to depositors; but the reason he would urge for rejecting the Amendment was, as his hon. Friend had pointed out, that Building Societies in a practically insolvent condition would be able to go to banks or financial establishments and obtain assistance beyond their real borrowing powers. If such loans were not repayable by the Societies it was quite certain that bankers and other lenders would be very careful in making advances. The danger of the Amendment would far more than counteract any advantage which could flow from it.

\*MR. BYLES (York, W.R., Shipley) said, the hardship which presented itself to his mind was recently exemplified in the case of a Society which, with a share capital of £5,000, and liabilities on deposits and loans nearly £50,000, had assets of not much more than £10,000; so that depositors after the Society's borrowing powers had been exceeded had no claim whatever. That was a matter which required alteration.

MR. JACKSON (Leeds, N.) said, in his opinion the Amendment would be productive of more mischief than good. The liabilities of Building Societies were of three kinds: first came depositors entitled to a first claim; then the investors; and then borrowers who might be liable under the Rules of the Society to make good losses incurred. If this Amendment were adopted the result would not be the protection of the poor members of Industrial Societies which, having borrowed up to their limits, were in difficulties, and might obtain from their bankers £50,000, which would come in priority to the investors, the poorest class of members. That was an objection to the proposal. Such cases had been few, simply because of the difficulty of knowing whether Societies were not exceeding their borrowing powers. The matter had been most carefully considered

by the Committee upstairs with a result unfavourable to the course proposed by the Amendment, and he trusted that it would not be adopted now.

Question put, and negatived.

\*MR. BANBURY (Camberwell, Peckham) moved the insertion of a new clause providing that gifts or commissions not recognised by the Rules of a Society should not be accepted by its officials. Building Societies were particularly liable to offences of that kind, and the very nature of the offence made it very difficult to obtain any direct evidence of the practice. The prevalence of such practices was, however, brought prominently before the Committee last year, particularly by a former Vice Chairman of the County Council of Monmouthshire and chartered accountant, a witness of ability, and with 25 years' experience in Building Society affairs, who said with reference to over-advances that they arose from two causes: one, want of knowledge of the value of property; and the other, the payment of money to persons reporting upon the advances. That witness added that in one case he had good reason to believe £50 was paid to a Society's surveyor who went to report upon a property. One of the chief causes of Building Society failures was found in over-advances, and in view of that fact it was very desirable that no gifts should be accepted by Building Society officials, who were sometimes induced by receiving "tips" or commissions to enhance the value of properties. The Amendment would do no harm to officials acting honestly.

#### New Clause—

(Gifts, &c., not to be accepted by officials.)

"No director, secretary, surveyor, solicitor, or other officer of a Building Society shall, in addition to the recognised remuneration attached to his office, receive from any other person any gift, bonus, commission, or benefit, for or in connection with any loan made by the Society, and any person paying or accepting any such gift, bonus, commission, or benefit shall be liable on summary conviction to a penalty of £50 with costs, and, in default of payment, to be imprisoned with or without hard labour for any time not exceeding six months, and the persons accepting any such gift, bonus, commission, or benefit, shall be ordered to pay over to the Society the amount or value of such gift, bonus, commission, or benefit, and in default of payment shall be liable

to be imprisoned with or without hard labour for any time not exceeding six months."—(*Mr. Banbury.*)

Clause brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

MR. BARTLEY (Islington, N.) said, this clause should be made not only to apply to Building Societies, but to other Institutions. Officials ought always to be paid fairly according to scale, and great risk was run by winking at under-hand payments. His hon. Friend had mentioned a case which came before the Committee. It was notorious that in connection with the operations of the Liberator Society large commissions were paid. They ought, if it was possible, to put a stop to the practice of giving *douceurs*. When it was known that commissions would be paid, the whole staff of a Society was apt to become demoralised, and these gifts undoubtedly encouraged fraud. There was no idea of fraud probably in the first instance when *douceurs* were given, but fraud was apt to creep in, and it was far better that a clause should be inserted to stop all proceedings as absolutely illegal. He hoped, therefore, that the Amendment would be agreed to.

\*MR. HOPWOOD (Lancashire, S.E., Middleton) hoped that the Government would not accept the clause. No one thought it wrong to receive presents in other positions, but such a practice was described as unbecoming in the lowly condition of persons attached to Building Societies, though almost universal in business classes. If such an Amendment was adopted in one direction only, a new precedent would be created from that moment. He could not see the justice of that, and such a clause would require more consideration before being adopted into the Criminal Code of the country. It should certainly be necessary to show something beyond the mere act of receiving money, which might, under certain circumstances, be given in all honesty.

\*COLONEL HUGHES said, it was difficult to see how there could be any objection to the clause or that the officers of Building Societies would feel themselves specially attacked by it. A similar provision was passed a few years ago

applying to all Local Authorities, and, at all events, it would not hurt any honest person.

MR. WARMINGTON (Monmouth, W.) said, if persons received anything in addition to their fees they would probably be liable to account for it under the present law. At the same time, those who were familiar with Building Societies could not shut their eyes to the fact that a great deal of harm had arisen in consequence of the officials of such Associations receiving something in addition to their official remuneration, with the result that loans had undoubtedly in my cases been improperly made. He therefore supported the clause.

MR. H. GLADSTONE said, he was prepared to adopt the principle of the clause, and would take care that words were introduced into the Bill at a convenient opportunity to carry out the object of the clause.

MR. CLOUGH thought that where an official accepted a bribe he ought not to be permitted to get off with a mere fine. There ought not only to be no question of his handing over or repaying the money, but he ought to be punished.

Motion agreed to.

Clause added—

MR. HOPWOOD moved the insertion of a clause providing that upon charges arising under this Act the defendant and his wife should be admissible as witnesses. This followed what had been done in other cases. The clause was not compulsory. The defendant and his wife would not be compellable to give evidence; but it was right that a defendant should be furnished with every means of bringing out the truth in a Court of Justice, and he or his wife might be cognisant of many circumstances with regard to books and other matters.

New Clause—

(Wife may be witness in certain cases.)

"Upon hearing of any charge involving the infliction of fine or imprisonment on summary conviction under this Act the defendant and his wife shall be admissible as competent witnesses."—(*Mr. Hopwood.*)

Clause brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

\*THE LORD ADVOCATE (Mr. J. B. BALFOUR, Clackmannan, &c.), was willing to accept the clause. Some of the offences provided against in the Bill would not admit of much testimony being given in defence beyond that of the persons charged. There might well be matters as to which no one could have knowledge but the defendant himself. The Amendment, therefore, seems reasonable and in accordance with recent precedents.

Motion agreed to.

Clause added.

\*MR. CREMER (Shoreditch, Haggerston) moved a clause providing that the Registrar's certificate appended to the Rules should be accompanied by a statement that it was not to be taken as a guarantee of the Society's financial stability or of its good management. The majority of persons who joined Building and Friendly Societies, when they saw the Registrar's certificate appended to the rules, were led to believe that it constituted a State guarantee of the financial soundness of the concern, and then when a disaster occurred confidence in Governments was shaken, if not destroyed. Of course, Members of the House knew that the certificate of the Registrar did not afford any guarantee of stability, but the public too often interpreted it otherwise, hence the necessity for making it clear. He believed there was no honestly-conducted Building Society that had any objection to the change which would be effected by the clause which he proposed.

New Clause—

(Registrar's certificates not to be a guarantee of financial stability.)

"In any case where the rules of any Building Society shall have been deposited with the Registrar of Friendly Societies and the certificate of such Registrar shall have been appended thereto, such certificate shall bear on its face the statement that it shall not be taken as a guarantee of good management or financial stability."—(Mr. Cremer.)

Clause brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

SIR J. LUBBOCK said, he fully endorsed what had fallen from the hon. Member who had just spoken, and to

avoid the possibility of the public being misled the Amendment was desirable.

\*MR. H. GLADSTONE promised, on the part of the Government, that words carrying out the principle of the clause should be introduced into the Bill in another place. It would, however, be better to carry out the hon. Member's intention by amending the Schedule of the Act of 1876, which defined the form of certificate.

MR. BARTLEY said, it would be better to accept the clause, as these Societies would then all be bound to satisfy those concerned with regard to their position and stability. It was therefore desirable that this clause should be inserted in the Bill.

\*MR. HOPWOOD opposed the Amendment, and submitted that the House would be sanctioning a very foolish arrangement in allowing such a certificate to be given. What could possibly be the effect of it on the mind of the investor? When they had appointed a Registrar to whom all the extraordinary powers he now possessed were given, and who appended his certificate to the rules of a Building Society, it was impossible to say this was not, in a sense, a State guarantee that they were under good management.

MR. GERALD BALFOUR remarked that the certificate only applied to the rules of the Building Society. How was it possible that the mere fact of a Building Society being registered could be any security for its good management or financial stability? The real reason why some Amendment of this kind was needed was that experience had proved that the mere fact of Societies having such certificate had been taken again and again, by members of the Society, to be a guarantee by the Government of good management and financial stability, whereas it was obviously impossible the Government should give such guarantee or that the certificate could bear that meaning. The hon. Member opposite (Mr. Hopwood) seemed to hold the opinion that we were living in an unreal world, and that punishment and precautions were unnecessary, but the majority of people would not agree with him in that opinion. He was glad that the Government intended to accept the principle of the Amendment and to give effect to it in another place. The only

question was whether the proposed certificate should apply to all Societies or only to new Societies. Perhaps the right hon. Gentleman would give them some idea as to what his views were.

\*MR. H. GLADSTONE: It is proposed to be extended to all Societies according to the new clause.

MR. GERALD BALFOUR: That is only to new Societies.

MR. JACKSON thought everybody would agree in the desirability of carrying out what was designed by this new clause in regard to the certificate, except the hon. Member opposite (Mr. Hopwood). In arranging this matter, however, care would have to be taken that there was not one certificate for one lot of Societies and another for another class of Societies. Take the case of an old Society which had its present certificate. That would never come before the Registrar except in the case of an alteration of the Rules, and therefore they might have a large number of Societies—which for years and years would not need to come to the Registrar's office for an alteration of the Rules—with one certificate, and they might have all other Societies, either newly formed or coming for an alteration of the Rules, with a different certificate. That would obviously not be what the hon. Member desired, because it would place at a disadvantage the new Societies or even the old Societies which made any alteration in their Rules. This was a serious difficulty which ought to be obviated.

\*MR. BANBURY considered that all Societies must be put on the same footing, and he thought that it would be easy to draw up a clause which would compel all existing Societies to send in their certificates for revision.

\*MR. BYLES said, his hon. and learned Friend near him (Mr. Hopwood) was not entirely alone in the views he expressed. He firmly believed the effect of these restrictions and restraints upon the operations of Building Societies would most inevitably be to increase the fallacious belief of the general public that there was some sort of Government guarantee for their money when they put it into such Societies, and when they were entrusting the Registrar with all these new powers they simply furthered and gave colour to that erroneous opinion. He agreed it was desirable, as far as they

could, to state on the face of the Bill that it did not carry any guarantee, and so far he agreed with the clause, but he was bound to say he thought his hon. and learned Friend was perfectly right in saying the tendency of all this legislation would be to increase that wrong opinion. If the public were only left to make their own bargains when they lent their money, just as they had to do with anybody else, they would be more likely to be careful.

\*MR. WHITTAKER (York, W.R., Spen Valley) remarked that, if some certificates contained a statement that they carried no guarantee, while others did not contain that statement, it would lead to the belief that the latter did really carry some guarantee.

\*MR. J. B. BALFOUR said, the Government would keep in view the points referred to when drawing the clause for insertion in another place.

Motion and Clause, by leave, withdrawn.

COLONEL HUGHES moved, in page 1, line 10, to leave out "unadvanced," and insert "investing." He said, that "investing" was a modern term, and would be better understood than the word "unadvanced."

Amendment proposed, in page 1, line 10, to leave out the word "unadvanced," and insert the word "investing."  
—(Colonel Hughes.)

Question proposed, "That the word 'unadvanced' stand part of the Bill."

\*MR. H. GLADSTONE said, he was advised that it would be inconvenient to accept the Amendment, as the word "unadvanced" ran all through the former Act.

Amendment, by leave, withdrawn.

\*MR. HOPWOOD moved, in page 1, line 12, to leave out from "members," to end of sub-section. The words proposed to be omitted were those which provided that the matters to be set forth in the Rules should include

"Tables, where applicable in the opinion of the Registrar, showing the amount due for principal and interest separately."

His reasons for moving the Amendment were these. They introduced here, and in this Bill generally, the Registrar for

*Mr. Gerald Balfour*

the first time as a controlling power, and the Building Societies over which he exercised such supervision would be regarded as having a State guarantee. He suggested that that was a mistake. The Registrar was here invested with a discretion "where applicable in the opinion of the Registrar." The Registrar, he believed, was not desirous of having this jurisdiction put upon him, or he so expressed himself in his evidence. This would throw a good deal of extra work on the Registrar, and must entail an increase of his staff. Again, he should like to know why the Registrar was to govern the *modus vivendi* of these Societies, which the House must suppose would be financed by people who knew their own business. He did not think they would learn anything profitable from the Registrar, who confessed that he knew nothing practically about the business of these Societies. He submitted, therefore, the House should pause before they arrived at the conclusion that they were so much cleverer than these people, and that they could settle in an Act of Parliament, fixing the language for all time, what should be done. Without injuring the clause, but preserving all that was essential in it, the words he suggested should be omitted ought to be taken out, so that Building Societies should be left in that respect to do what they thought was right for the independent government of their concerns. The more they controlled these Societies, the more they prevented their usefulness; and although some of them had been dishonestly managed, they formed but a very small percentage of the whole. They would lead the public into a feeling of false security if they led them to believe that they had got a Registrar on the spot who was always looking into these matters, and always taking into consideration the interest of Her Majesty's subjects. He begged to move the Amendment.

Amendment proposed, in page 1, line 12, to leave out from the word "members," to the end of Sub-section (b), of Clause 1.—(*Mr. Hopwood.*)

Question proposed, "That the words, 'with tables, where applicable in the opinion of the Registrar' stand part of the Bill."

\*COLONEL HUGHES said, that in any well-managed Society, with definite regulations, there was no difficulty in setting forth a table to meet every case of investment or advance, and nothing could conduce more to the popularity of a Building Society than that the particulars of the contract should be set forth in the Rules. It was a distinct advantage to have these tables in the Rules. They were set forth in the Rules of the Society to which he belonged, and they worked with great benefit to the Society. He pointed out that this was not obligatory upon a Society. If the Registrar was satisfied that the tables were not applicable to be put in the Rules of some Societies they would not be put in. If he thought they ought and could be put in then he would direct they should be put in. Such a provision was desirable in the interests of the Societies themselves and everyone concerned.

\*MR. BYLES was astonished to hear the hon. and gallant Gentleman say it was necessary and desirable there should be these tables. Was he aware that in some of the biggest, most prosperous, and well-managed Societies they had no tables at all?

COLONEL HUGHES: The officials must have a table to work by themselves.

\*MR. BYLES said, they had no table, but they worked freely, with elasticity and in the spirit that had been expressed by the Mover of the Amendment. The whole idea of this Bill was that there was one certain sort of Building Society and that they could make them all alike in their methods and management. The real advantage to the public was that Building Societies should be as elastic and free as possible, and thus the public got the maximum advantage. He heartily supported the Amendment.

MR. GERALD BALFOUR observed that the hon. Member for Shipley had said that the House appeared to be under the impression that Building Societies were all of one kind. How could he say that in face of the words the hon. Member for Middleton proposed to omit and which set forth that the Rules should only be published where they were applicable in the opinion of the Registrar? The Registrar would not insist upon the tables where, in his judgment, they were not applicable, but would insist upon



them in these cases where they were really required. The hon. Member who moved the Amendment seemed to fall into an obvious error. His view was, as a matter of fact, that all Societies differed from one another, and ought to be left in that condition. Nothing of the kind. The fact was, that Building Societies fell into well-marked classes—Terminable Annuity Societies and those which were not. It was abundantly proved before the Select Committee that the Societies which conducted their business on the principle of Terminable Annuities absolutely required tables to work by. It was, therefore, eminently desirable that those tables should be inserted in the Rules. All that was required here was that if the tables should be given they should be duly set forth. The hon. and learned Gentleman said if this Regulation were inserted in the Bill it would give the public an impression of false security. If that were the case he was at a loss to understand how it was the hon. Gentleman opposed the new clause lately moved, in which the precaution was taken, on the face of the certificate, to show that no such guarantee was given. All the certificate could possibly do was to show that the Rules had been drawn up in accordance with the law and nothing more. It was the object of the Bill to see that the Rules of a Society were so drawn up as would be most likely to ensure that good management and financial stability they all desired to see in their Building Societies.

MR. BARTLEY said, there was no doubt that the preponderance of the best opinion examined by the Select Committee was in favour of the insertion of the tables, in order that the investing public should know distinctly the basis of the bargain made. A great number of witnesses stated strongly that these tables should be absolutely made the law in every Society, and the only real objection was in the case of some small Societies, where the cost of printing would be very great. There was something in that, but it really was a very unimportant point indeed. His own opinion was that a Society which could not afford to print the Rules was not likely to be much of a Society at all. The tables were practically alike, and there would be no possible difficulty in pre-

paring a table from some other Society without incurring much expense. It seemed to him absolutely necessary that every point in these Societies should be as plain as possible to the investing public. It was their absolute duty, if they had any special laws for these Societies, to see that they were as explicit as they possibly could be made. The provision in the clause was fair and reasonable; it was one to which no *bonâ fide* Society could possibly object, and the Government would fail in their duty if they did not insist upon its retention.

\*MR. H. GLADSTONE said, he would have been more impressed with the necessity for the Amendment if it had come from any of the Representatives of Building Societies. The right hon. Member for the University of London, who represented an Association comprising a great number of managers of Building Societies had not put down an Amendment of this kind, and he was not there to support the hon. and learned Member. Though it was true that there was a considerable difference of practice among Building Societies, he believed everyone would admit that where tables were possible it was most desirable to insert them in the Rules. He thought his hon. Friend was wrong in alluding as he did to the Registrar of Friendly Societies, because, in answer to a question put by his right hon. Friend the Member for North Leeds, the Registrar said that it was certainly desirable to insert the tables. The clause as it stood was a necessary and a good clause, and he could not accept the Amendment.

Question put, and agreed to.

On Motion of Colonel HUGHES, the following Amendments were agreed to:—

Page 1, line 14, after "due," insert "by the Society."

Page 1, line 17, after "due," insert "by the Society."

COLONEL HUGHES moved, in page 1, lines 26 and 27, leave out "on redemption," and insert "after each stipulated payment." He said this was a necessary corollary to the tables being published.

Amendment agreed to.

*Mr. Gerald Balfour*



\*MR. HOPWOOD moved, in page 2, line 6, to leave out from "relates," to "every," in line 10. The clause provided that there should be an annual account and statement made up to the end of the year. That might be a very proper provision, but the clause proceeded,

"and shall be in such form as the Registrar may from time to time, with the approval of the Secretary of State, direct, either generally or with respect to any Society or class of Society,"

and it was to those words that he objected. A few minutes ago the House was for relying on the Registrar in all emergencies; he was to put everything in order; but now it was proposed that the Registrar should call in the aid of the Secretary of State, who was already overburdened with duties. He was not opposing the Bill; he was giving to the House the opinions of many of the Building Societies; and on their behalf he moved the omission of words which he thought would place the Building Societies in swaddling clothes.

Amendment proposed, in page 2, line 6, to leave out from the word "relates," to the word "every," in line 10.—(Mr. Hopwood.)

Question proposed,

"That the words 'and shall be in such form and shall contain such particulars as the Registrar may from time to time, with the approval of a' stand part of the Bill."

\*MR. H. GLADSTONE said, the Government could not accept the Amendment. The whole question of Building Societies was gone into most carefully by the Select Committee last year, and the Bill was framed on the evidence, which would be found in a substantial Blue Book. He quite admitted the title of his hon. and learned Friend who moved the Amendment to describe himself as the mouthpiece of individual Building Societies; but it was a significant fact, and his right hon. Friend the Member for London University, who was President of an Association representing 120 Building Societies and invested funds amounting to £25,000,000, did not support the Amendment. The words "with the approval of the Secretary of State" were inserted in the clause, on the representation of witnesses on behalf of the Building Society, in order to give the public a greater feeling of security,

and not because there was any feeling that the Registrar would not be competent to discharge the duty. He was certain that the most capable gentleman who held the office of Chief Registrar could be fully trusted to consider the case of each Society on its merits, and to decide the matter according to the character and special circumstances of the Society.

MR. JACKSON hoped the House would not accept the Amendment. He thought the hon. and learned Gentleman who moved it rather failed to appreciate the reasons why the clause was drawn in its present form. The hon. and learned Gentleman must admit that there must be some form of accounts which those Building Societies were to furnish to the Registrar. That being so, there were two alternatives. One was to prescribe a fixed form; the other was to leave some elasticity in the matter. The Committee were of opinion that it would be very difficult to prescribe a form of account which would be applicable to every class of Society; and for all future time. In order, therefore, to preserve some elasticity, and avoid a rigid form of account, the Select Committee thought it well to leave it to the discretion of the Registrar to alter the form of account from time to time, as he thought necessary, and with the sanction of the Secretary of State.

MR. BARTLEY said, that the clause would not be placing the Societies in swaddling clothes, as the hon. and learned Member who moved the Amendment had remarked, because similar Rules applied to Assurance Societies, railways, banks, and such public Companies which were obliged to make Returns of this nature. No doubt, if we lived in a state of primitive simplicity and perfect honesty no Rules of the kind would be required; but considering the weakness of human nature it was not at all unreasonable that some such Rule should be made to apply to Building Societies. The Committee took great care to prevent any hardship arising from those Returns. It was felt that circumstances might arise which would render a different form of certificate necessary, and so the Registrar was given discretion to modify it when necessary. The Secretary of State would not be continually troubled to make alterations in the form of account. The form

would last a long time, but it was conceivable that circumstances might arise when it would be necessary to alter it, and it was well to provide for such a contingency. If there had been such a power vested in a Registrar, and he was able to put some particular form of Return before the Liberator Building Societies, it was quite certain that some of the great disasters which followed the collapse of that Society would have been avoided. One of the objects of the clause was to prevent cases of fraud of that kind, for experience proved that fraud was prevented when definite and express Returns were insisted on.

Question put, and agreed to.

\*COLONEL HUGHES asked, who was the Secretary of State to which the words "Secretary of State" in the clause applied? Was it the Secretary of State for the Navy or for the Army? He presumed it was the Secretary of State for the Home Department; but he thought that should be clearly stated in the Bill.

\*MR. J. B. BALFOUR said, the words generally used in Acts of Parliament were "one of Her Majesty's principal Secretaries of State." He did not think it was usual to limit it to anyone Secretary of State, though the matter was always referred to the proper Secretary of State, who in this case was the Secretary of State for the Home Department.

\*SIR J. LUBBOCK moved, in page 2, line 10, before "provided," to insert—

"The form of annual account and statement directed by the Registrar under this section, and every alteration of that form, shall as soon as practicable be laid before each House of Parliament, and shall not come into operation until the expiration of three months from that date."

The Building Societies had every confidence in the present Registrar; but they thought it reasonable that if their Rules could be altered without their consent, they at any rate should have notice of the alteration, and have the opportunity of laying their views before the Registrar, and if necessary before the Secretary of State. He, therefore, hoped the House would see the reasonableness of his Amendment.

\*MR. H. GLADSTONE said, that if the opening of the Amendment was made to read—

*Mr. Bartley*

"Every form of annual account and statement prescribed for general use by the Registrar under this section,"

the Government would accept the Amendment.

SIR J. LUBBOCK said, he had no objection to the alteration suggested by the right hon. Gentleman.

Amendment proposed, in page 2, line 10, before the word "provided," to insert the words—

"Every form of annual account and statement prescribed for general use by the Registrar under this section, and every alteration of that form, shall as soon as practicable be laid before each House of Parliament, and shall not come into operation until the expiration of three months from that date."—(*Sir L. Lubbock.*)

Question proposed, "That those words be there inserted."

MR. CARSON (Dublin University) asked whether the Registrar in England or the Registrar in Ireland would draw up the forms for Ireland? It had been suggested to him by Building Societies in Ireland that there should be a common control over the Kingdom, and that the Registrar in England should have control over the forms for Ireland.

\*MR. TOMLINSON (Preston) asked what was the meaning of the phrase "prescribed for general use" which the Government had inserted in the Amendment? He thought there ought to be in the clause a clear definition of the use to which the forms were intended to be put.

\*MR. HOPWOOD thought that the object which the right hon. Gentleman the Member for London University had in view—namely, the protection of every Building Society against capricious charges in the form of account by the Registrar—would not be affected by his Amendment, now that the general words of the Government had been accepted.

MR. BARTLEY said, the Amendment would lead to a great deal of inconvenience and confusion. He did not object to the form being laid before Parliament, but he could not conceive that anything but mischief would arise if that form was not to be available until after the expiration of three months from that date. Take the present time, for instance. Parliament would rise at the end of August, and would not meet again probably until February. That would mean that six months would elapse

before the Registrar could lay the form on the Table of the House, and then three months more should pass before the form would come into operation. Such a delay might lead to the sheltering of transactions in a Building Society, which in the interest of the public ought to be discovered without loss of time. It seemed to him unreasonable to insist that persons like the Secretary of State and the Registrar, who would have no interest in the matter, except the public welfare, should be hampered in the way proposed in the Amendment.

MR. GERALD BALFOUR thought the Amendment would require careful consideration before it was accepted. Delay in the operation of the form might unduly be prolonged, if the latter part of the Amendment were passed. Again, in the form which the Government proposed to accept the Amendment it would apply only to every form of annual account prescribed for general use. But there were three kinds of form contemplated—a form prescribed for general use; a form prescribed for a class of Society; and a form for some particular Society. If the Amendment were passed in its present shape, the form of account to which it would apply would be the form for general use, and not the form for the use of a particular class of Society. He did not know whether that was the intention of the Government—the matter should be made quite clear. The hon. and learned Member for Middleton seemed to think that the Registrar might use this power in a malicious way against a particular Society. But it was evident that the discretion given to the Registrar to prescribe a particular form of account for a particular Society was intended to enable him, in the case of a Society carrying on a special business, to exempt that Society from the general application of the clause.

\*MR. J. B. BALFOUR said, the intention of the Government in accepting the Amendment was very much as indicated by the hon. Gentleman who had just spoken—namely, to make a general rule liable, on cause shown, to be relaxed. If there was any doubt about the clearness of the clause it would be set right in another place.

\*COLONEL HUGHES said, the words “prescribed for general use” were quite intelligible, following, as they did, a section which said “either generally or

with respect to any Society, or class of Society.” As to the nature of the form, it might be such as would make a Building Society disclose information of a private character. While the House took care to protect the public they should do nothing to injure the Societies, and, therefore, he thought it was well to have the form laid on the Table of the House.

MR. BANBURY thought that, for the reason advanced by his hon. Friend the Member for North Islington, all the words after “House of Parliament” should be omitted from the Amendment.

Amendment proposed to the proposed Amendment, to leave out from the word “Parliament” to the end of the proposed Amendment.—(Mr. Banbury.)

Question proposed, “That the words proposed to be left out stand part of the proposed Amendment.”

MR. JACKSON said, he agreed that as to the general form of accounts to be applied to all Societies those interested should have previous knowledge so as to enable them, through their Representatives in the House or in some other way, to raise necessary objection. There could not be a doubt that protection of that kind should be afforded. He was in some doubt, however, as to how the words the Government proposed to insert would be interpreted. Suppose there were half a dozen classes of Societies, some containing a large number of Societies and some very few. How would the form of account that would be applicable to the smallest class of Societies be interpreted as coming within the form of account prescribed for general use?

MR. J. B. BALFOUR said, that the term “general” must be taken in these matters as opposed to “particular.”

MR. JACKSON said, the right hon. Gentleman would admit that there was a little difficulty in the words selected. His (Mr. Jackson's) desire was to take care that they did not put into the clause words which might be interpreted hereafter in a sense which was not intended. He did not know whether the right hon. Gentleman the Member for the University of London attached great importance to the period of three months, but that certainly appeared a long time. One month, or even 40 days, would be sufficient.

MR. BARTLEY objected to the period of three months, for the reason that such a delay at certain seasons would frustrate the object in view.

MR. HOWELL said, the ordinary course in matters of this kind was to have the form of accounts on the Table of the House for 40 days.

MR. GERALD BALFOUR said, that if the words in question were omitted the form of accounts would come into operation at once instead of at the expiration of three months. It would be inconvenient to wait three months, and then, if Parliament objected, allow the matter to go back. It was idle to enact that a certain form should come into operation, and then allow Parliament a kind of posterior power of review.

\*COLONEL HUGHES said, the object of having the matter before Parliament would be that corrections might be made in the form if necessary. For this purpose 40 days would be sufficient, but to say it should be laid on the Table of the House after it had come into operation seemed to him to be useless.

\*SIR J. LUBBOCK said, he would be willing to accept the period of 40 days.

Amendment to the proposed Amendment, by leave, withdrawn.

Amendment amended, by leaving out the words "three months," and inserting the words "forty days."

Words, as amended, inserted.

MR. H. GLADSTONE said, he would move to omit Sub-section (b), on the ground that if it were retained it might act as an incentive to Building Societies to keep their properties in arrear, and not take possession of them, so as not to give full particulars.

Amendment proposed, in page 2, line 24, to leave out Sub-section (b).—(*Mr. H. Gladstone.*)

Question proposed, "That Sub-section (b) stand part of the Bill."

Question put, and negatived.

MR. BYLES said, he desired to move to omit Sub-section (c), which required that every annual account and statement should set forth, in the case of every mortgage to the Society where the present debt exceeded £5,000, certain particulars shown in the first part of the First Schedule. He had been com-

municated with by a great many Building Societies of very high character, and he found that the very best experts in Building Society work—men who were most trusted and relied upon for advice—were unanimously opposed to the proposals contained in this and the next sub-section of the clause. The development of the town of Bradford, where the working classes were as well housed as in any town in the Kingdom, was in the main due to the operation of the large Building Societies. The whole community had profited by them. They had invested their money in them, and had built their houses by means of them. Now it was proposed that those Societies who were doing a beneficial and legitimate trade should make such returns as would undoubtedly deprive them of a very large and profitable portion of their business. He objected to legislation which, in endeavouring to catch those who were dishonest and fraudulent in the discharge of their duty injured, and to a great extent destroyed, not only the Societies in Bradford, but a large number of other Societies in the West Riding which were doing a similar class of business, and he was assured on authority which he could not doubt that that would be the effect of the sub-section. He quoted from a letter written to him by Mr. Binns, who had given evidence before the Committee, to the effect that the clause would practically extinguish the present large business carried on by his Society. "What," said the writer—

"was a Society with an annual income of £600,000 a year to do? No borrower would apply, if his circumstances were liable to be discussed by Tom, Dick, and Harry, at an annual meeting."

There were other Institutions carrying on precisely the same business who were not interfered with, and the inevitable effect of the clause would be that persons who wanted to borrow large sums of money on mortgage for a perfectly legitimate purpose would no longer go to Building Societies whose directors were members of the highest probity, and were by their character the best possible guarantee for the solvency of the Society, because their transactions would be exposed to the world; but they would go to other Institutions which escaped these restrictive conditions. Thus a useful and highly legitimate business would be

destroyed. He, therefore, moved the omission of the sub-section.

Amendment proposed, in page 2, line 81, to leave out paragraph (c), of Sub-section 1, of Clause 2.—(*Mr. Byles.*)

Question proposed, "That the words 'in the case of every mortgage to the Society,' stand part of the Bill."

\*COLONEL HUGHES said, that the sub-section which it was proposed to omit was very necessary, because it had been proved by experience that Building Societies had often gone wrong by lending large sums to contractors, and when a Society lent on mortgage a sum of £5,000 and upwards it was necessary, for the protection of the shareholders, that the fact should be published. The objection raised to the sub-section was that it would compel the disclosure of business transactions; but there was nothing in the Schedule which would lead to identification of the property. If Building Societies, which were really formed for the purpose of providing their shareholders with the means of acquiring property for themselves, and in most cases for their own occupation, were to be diverted into agencies for enormous loan transactions for the building of large blocks of buildings on estates, forming doubtful security, it was necessary that the shareholders, who were of the poorest classes, should be made acquainted with the nature of the investments; and therefore where £5,000 was lent on one mortgage, it was right that the facts should be published by the Building Society.

\*MR. HOPWOOD supported the Amendment. If Building Societies were to be left the power to lend £5,000 on a mortgage, why impose conditions which would prevent the exercise of the power? Why treat their managers as honest, and at the same time take security against dishonesty? He had been told a few minutes ago that a number of public Companies had to give accounts. He was aware of that; but no public Companies were required to render such accounts; and banks, which often went wrong, were never subjected to such degrading conditions. The proposal went beyond the due bounds of legislative interference, and he, therefore, heartily supported the Amendment.

\*MR. H. GLADSTONE (Leeds, W.) said, that the hon. Member for Shipley Division had spoken as if the sole object of the framers of this Bill had been to strangle all the Building Societies throughout the country, and seemed to consider that the sub-section they were considering was intended to dictate to the Directors what sort of business they might in the future alone engage in, and how they were to do it. That was not so at all. The main object of the Bill was to give protection to members of Building Societies, and he considered that the members of Building Societies had a right to know in detail the nature of the transactions that the Directors entered upon. He could not help wondering whether the hon. Member had really seriously considered the painful lesson taught by the failure of many of these Societies that had taken place lately in all parts of the country. Many large Societies had failed, of which they had heard. But numbers of smaller Societies of which they had not heard had failed, bringing loss or ruin to the poorer classes. How could members be expected to know the state of the law, and after the experience gained by considering the Liberator failure, did his hon. Friend think they could really get at the true character of the people they were dealing with? His hon. Friend said also that this sub-section would have the effect of stopping Building Societies from advancing large sums of money. That was not the purpose for which Building Societies were founded, and recent experiences showed pretty conclusively that that kind of business was not desirable. The hon. Member had quoted from a letter of Mr. Binns in support of his argument. He himself had examined Mr. Binns when he gave evidence before the Select Committee, and he had put this very point to him. Mr. Binns then said distinctly that he had no objection to offer, so far, at any rate, as his own Society was concerned. He felt, therefore, that he was entitled to stand by the evidence which Mr. Binns had given before the Select Committee rather than by the opinion he had expressed in his letter which his hon. Friend had quoted from.

MR. GERALD BALFOUR (Leeds, Central) said, that the hon. Member for Shipley Division seemed satisfied with

existing legislation, but he was of opinion himself that it had, at any rate, not been sufficient to protect the members of Building Societies against the evil doings of the officials. He maintained that there was a very great difference between banks and Building Societies. The Birkbeck was the solitary exception that he knew of where the two classes of business had been successfully carried on together. He pointed out that Building Societies were not founded with a view to carrying on business of the same nature as that of banks, and on that account they had been granted special privileges. It was exactly this very carrying on of business other than the strict business of Building Societies by them that they desired to see checked. If Building Societies wished to carry on the business of banks, then they should register themselves as limited Companies.

MR. BILLSON (Devon, Barnstaple) said, that, although he approved of the clause as a whole, he was not in favour of the sub-section, which he considered would be quite unnecessary if the classification of mortgagees were carried a little higher.

MR. BARTLEY said, that if there had been such a Return as this in the case of the Liberator Society, where there were mortgages amounting to £2,000,000 or £3,000,000, was it conceivable there would not have been some alarm taken years before? From his experience he could say that there was not much risk in lending a number of small sums in different quarters, but the danger came in where large sums were lent not for Building Society purposes proper, but for building speculations. Against such risks the members of Building Societies ought to be protected.

\*MR. JACKSON (Leeds, N.) said, the hon. Member for Shipley, in moving the present Amendment, desired, not to amend, but to kill the Bill. He hoped the House and Building Societies also would understand that that would be the effect of the Amendment. The hon. Member quoted a high authority for the statement that if the sub-section was included in the Bill it would destroy the most profitable business of Building Societies. In reply, he could assert that all the men coming before the Select Committee who had had

experience of the winding-up of these Societies, and to whose judgment great weight ought to be attached, were strongly in favour of the clause as proposed in the Bill. In the Select Committee there was not a single Division upon this clause, nor, indeed, in regard to the whole Bill; the Committee were absolutely unanimous in passing the Bill as it stood. He stated boldly and frankly that, in his opinion, the Building Societies Acts were never intended to carry on the class of business affected by the sub-section. If Building Societies desired to lend £20,000, £30,000, or £50,000 on mortgages, that was not the kind of business for which they were established. He could not refrain from saying—the hon. Member forced it from him—that it was a remarkable fact that the high authority quoted represented a Society that made no return of its properties in possession. The gentleman had been one of the strongest opponents of this Bill. He made rather an extraordinary statement to the members of the Building Societies Association. He took the position that the safest mortgages were the largest mortgages. Mr. Binns, however, spoke with two voices, because, when he came before the Select Committee, he stated, in answer to a question put by himself, that—

“The more you spread the risks and the smaller the individual amounts the better for everybody concerned.”

That was not quite consistent with the opinion this high authority expressed in the Association. He thought the House might take it that Mr. Binns before the Committee confirmed the view that really the danger was in the larger mortgages. Reference had been made to the fact that the requirements contained in this clause were not put upon bankers and others. There had, however, been a very pressing demand for investigation as to the investments of large Trust Companies. That demand had been resisted by the Directors of such Companies for a long time, but had at last been conceded. In his opinion, if such a power as was given by the sub-section had been put into the hands of the members of Trust Companies an enormous proportion of the disasters that had resulted from the operations of such Companies would, in all probability, have

*Mr. Gerald Balfour*



been avoided. He did not think it was desirable to subject business to too many legislative restrictions, but the business with which this Bill dealt was of a particular kind. The sub-section was intended to protect small people against, it might be, the officers of Societies. All that was asked for was that the members of business Societies should be placed in such a position that they would be able to ascertain more accurately and in greater detail how such Societies stood. He thought they were entitled to the information referred to, and that it was information which would be of the greatest value to the Societies, whilst at the same time it would not do a particle of injury to a sound and solvent Society. Although this Bill had not become law, a large proportion of the Societies which had held their annual meetings since the return of properties in possession was moved for in the House of Commons had taken up the question and given the information to their Members. He was certain that if the information were not required by Parliament it would be demanded by the members themselves in the future. Therefore there could be no harm in inserting this provision in the Bill.

MR. BYLES: Therefore there can be no good.

MR. JACKSON: I think the hon. Member hardly sees the tendency of his argument. Why do not the members get the information now?

MR. BYLES: They do in our Society.

MR. JACKSON: If so, I do not quite see why the giving of it in future can do any harm, and why Members should not have a statutory right to demand it.

MR. BYLES: It is given in the aggregate, and not in such a manner that every individual mortgage can be traced to the detriment of business.

MR. JACKSON said, the fact was that it was given in a form that the Members could not understand. The Bill did not provide that there should be given name or locality or description of property, and therefore nobody without special knowledge would be able to identify any one of the properties given. In his opinion, without the Schedules the Bill would not be worth the paper it was printed on. They were the vital part of the measure, and the hon. Member knew it perfectly well. What was the

hon. Member's reason for opposing the sub-section he (Mr. Jackson) could not say. The hon. Member's object was not to amend the Bill but to destroy it, and he hoped the House would not assent to his Amendment.

Question put, and agreed to.

\*MR. BYLES moved the omission of Sub-section (d), explaining that he did so, so as to have the opportunity of replying to some of the observations of the right hon. Gentleman opposite (Mr. Jackson). As to Mr. Binns, he (Mr. Byles) could see nothing in the evidence given by that gentleman that was inconsistent with what he had stated. It was perfectly clear that Mr. Binns was suspicious of any information being asked for which would enable individual mortgages to be traced. When he (Mr. Byles) said that there was unanimity he meant that amongst the many correspondents from whom he had had letters, and who represented good Societies, there was practical unanimity. Mr. Binns had been perfectly consistent all through, and there was nothing in the evidence he gave before the Committee to show that he did not object to returns which would result in revelations being made. The right hon. Gentleman said he believed that no particle of injury would be done by this provision, and that it would be impossible to trace particular properties. All he (Mr. Byles) could say was that the authorities who had been in correspondence with him thought that injury would be done, and that the properties could be traced. He was told that in the West Riding of Yorkshire (which was a Register county) everyone who liked would be able to ascertain the name of the mortgage, the estimated value of the property, and the state of the Building Society's account in regard to it. The right hon. Gentleman and the hon. Member behind him (Mr. G. Balfour), as well as the right hon. Gentleman (Mr. H. Gladstone) in charge of the Bill, were Members for the Borough of Leeds. There was a great Society at Leeds, and some Building Society experts thought they could see the hand of that Society running all through this Bill. It was a little unfortunate that three influential Members representing one borough should have been on the Committee, and should be

promoting this Bill when they were told by Members from other parts of the country that the measure was extremely objectionable to other Societies. Sub-section (d) proposed that additional particulars should be given of properties in possession. He believed that to give such particulars in the manner proposed in the Schedule would be detrimental and misleading. One of the particulars asked for was the original valuation of the property. Of what good, he asked, would such information be? He could give instances of properties which had been added to since they came into the possession of the Society, and which were now worth a great deal more in consequence. He could give instances of other properties where fires had occurred, and where, perhaps, half the properties had been destroyed. What was really wanted, if anything was wanted, was the present value of the property. The only effect of asking for particulars of properties in possession was to oblige the Societies at once to realise such properties. [*Cries of "No!"*] That would be the natural effect, because the Societies would wish to get their borrowing limit restored. They would, therefore, be almost forced to realise properties at a time when they could not be favourably realised, and the Societies would consequently suffer very considerable loss. It seemed to him that gentlemen who were taking part in the Debate in favour of the Bill were thinking of a totally different class of Building Societies from that which he had in his mind. There were no doubt many insolvent Building Societies, and it might be desirable to subject such Societies to the legislative restrictions proposed by the Bill, but there was also a class of Societies of great importance, magnitude, and value which were absolutely trusted by their members; which were doing legitimate and beneficial business, and which would be seriously injured by the proposals of this Bill. This legislation, which was aimed at dishonest Societies, would inevitably injure honest Societies. In casting the net to catch the guilty the promoters of the Bill were catching the righteous too. He could not help suggesting in regard to the bad Societies which the Bill was aimed at that there was no certainty that true returns would be obtained from

them. The Directors of such Societies as the Liberator were surely very skilful in fraud and in the process of driving a coach-and-six through Acts of Parliament. When this Bill was passed it would be found that it would be laughed at by such men. Those who were fraudulent would be fraudulent still, and the returns they would send in would be untrustworthy. He firmly believed that this kind of legislation ought to be more carefully thought out. It was legislation in a panic. It was legislation that had been suggested by the Liberator's frauds.

An hon. MEMBER: They were two years ago.

\*MR. BYLES said, the Bill would never have been thought of but for those frauds. He had, of course, no desire to defend fraudulent Companies. He should be very glad if the promoters of the Bill got all the rascals into their net, and he should not care much what was done with them, as he thought there was nothing worse than defrauding honest working men. He had no *arrière pensée* in proposing the Amendment. It was the honest, straightforward, well and democratically managed Societies that he had in mind, and he asked the House to be careful how it imposed upon them restrictions which would destroy their legitimate business.

Amendment proposed, in page 2, line 35, to leave out paragraph (d), of Sub-section 1, of Clause 2.—(*Mr. Byles.*)

Question proposed, "That the words 'in the case of every property of which the Society' stand part of the Bill."

\*SIR J. LUBBOCK said, that no one would suspect the hon. Member of any *arrière pensée* in this matter, or that his wish was other than to promote the good of Building Societies. He was a little surprised to hear it said that the object of his hon. Friend and those with whom he acted was to destroy the Bill. Having been in frequent communication with the hon. Member on the subject, he (Sir J. Lubbock) felt bound to say that the hon. Member's desire was to make the Bill a good Bill. It was not the fact that all the authorities were in favour of this sub-section; and if the Committee on the Bill did not divide on these points it was only because the minority knew that they would be outvoted, and,

*Mr. Byles*

therefore did not put the Committee to the trouble of taking Divisions. It must not be supposed that the Committee were in favour of all these suggestions. He very much feared that the clause would have the effect which the hon. Member for the Shipley Division had indicated; but he recognised that high authorities believed its advantages to outweigh its disadvantages. He would suggest, however, that the hon. Gentleman in charge of the Bill might meet the hon. Member for Shipley by modifying the Schedule. It might in two particulars be altered to meet in some degree the objections which had been urged. The publication of the roll number of the property secured no particular advantage, while it made identification easier; and, in the second place, there was nothing to be gained by requiring a statement of the amount of debt when possession was taken.

Mr. HOWELL said, that one of the advantages of the Schedule was that the amount of the debt was stated.

SIR J. LUBBOCK said, it was desirable that that statement should be made, but it would be given in column 9. He had spoken in regard to column 8.

Mr. HOWELL said, that the Leeds Society set an example to other Societies all over the country; and it would be highly advantageous to have their Rules universal. Under their Rules one could see in a moment from the accounts the amount of the debt remaining to be paid and the amount of the redemption wanted on the property.

Mr. BARTLEY said, that sometimes too much was made of the bogey of identification. No doubt it was not desirable that every property should be advertised, and that everything about it should be known, but the importance of identification was over estimated. If property was in arrear over £5,000, he did not think any great harm would happen if somebody knew about it. He laid great stress on column 8 of the particulars. It was very important that people should see the amount of debt when possession was taken, for that, together with the statement of the present amount included in assets, showed whether the property was getting worse or better. No doubt there were cases in which the property taken over was quite good, but they were special cases. As a general rule, it was the

worst property which came into possession. It did not follow that because property was valuable over and above the advance it would not come into possession, or that the owner would not like to sell it. But as a rule these were properties which were of the least value, and the value of which was getting less and less. These two columns would show everybody the class of property and whether it was improving or not. Considering the great importance to depositors and those interested in the Societies of knowing whether the Societies were developing or deteriorating these two columns should remain.

\*MR. H. GLADSTONE said, he was afraid the suggestions of the right hon. Member for London University as to the Schedule could not be accepted. He had an Amendment on the Paper requiring a statement to be made of the present debt on properties in arrear, and to require a statement of the amount of debt on taking possession was only one step further. The hon. Member for Shipley thought that there was a sinister influence from Leeds at work to frame the Bill so as to injure all Societies out of Leeds. But no less than four Bills were brought forward last year, and two of them did not emanate from Leeds. So far as the Government Bill was concerned it was drawn on the lines suggested by the Registrar from his own large experience. With regard to the particular Amendment under discussion he might say that he could not accept it, but he proposed to accept that which stood upon the Paper in the name of the hon. Member for the Spen Valley Division of Yorkshire, which would have the effect of providing that properties in possession should not be scheduled until after they had been 12 months in possession. He thought that that would meet the practical objection to the clause which had been pointed out by the Building Societies' authorities. In the case of well-managed Building Societies, when properties came into possession a considerable amount of money, sometimes equalling, or exceeding the rental, was expended upon them in order to make the best of the properties with a view to disposing of them to the best advantage. As he had said, during the first year it often happened that the outgoings on the property actually exceeded the income.

That might have a very deleterious effect on the selling value of the properties, and so the Government had concluded to accept the Amendment of his hon. Friend which, he thought, really met any serious objection to the clause. He had only one more remark to make on this question. The opinions of various authorities had been referred to, and the hon. Member for Shipley had said, in connection with the Liberator Society, that a skilled auditor would be able to drive a coach and six through an Act of Parliament. The skilled evidence taken on the subject did not support this view. Mr. Stewart, the liquidator of the Liberator group of Societies, was asked whether it would have been possible for creditors, if this clause had been passed into law at the time, to remain in ignorance of the position of the Society, and he replied that if the auditor had done his duty and acted up to his certificate it would have been impossible. The Government proposed to alter the certificate of the auditor, and he believed that under the provisions of this Bill what happened in the case of the Liberator would be practically impossible. The opinion of Mr. Stewart was upheld by other experienced gentlemen, amongst them being Mr. Peek, who was the official liquidator in the Portsea Island Building Society's case. Under the circumstances the Government must ask the House to reject the Amendment of his hon. Friend.

Question put, and agreed to.

On the Motion of Mr. WHITTAKER, the following Amendment was agreed to:—Page 2, line 35, leave out "is," and insert "has been 12 months."

Amendment proposed, in page 2, line 37, after Sub-section (d) to insert the words—

"In the case of every mortgage to the Society where the repayments are upwards of 12 months in arrear at the date of the account or statement, the particulars shown by the tabular form in Part III. of the First Schedule of this Act."—(Mr. H. Gladstone.)

Question proposed, "That those words be there inserted."

Amendment amended, by inserting, after the word "society," in line 1, the words "not included in Part I. or Part II. of the First Schedule of this Act."—(Mr. Whittaker.)

Mr. H. Gladstone

Amendment proposed to the proposed Amendment, in line 1, to leave out the words "repayments are," and insert the words "interest is."—(Sir J. Lubbock.)

Question proposed, "That the words 'repayments are' stand part of the proposed Amendment."

\*MR. J. B. BALFOUR said, the Government could not accept the Amendment of the right hon. Baronet, but they would meet the point by adding, after the word "repayments," the words "or interest where no capital is overdue."

Amendment to the proposed Amendment, by leave, withdrawn.

Amendment further amended, by inserting, after the word "repayments," in line 1, the words "or interest where a part of the capital is overdue," and by leaving out, in line 2, the words "date of the account or statement," and inserting the words "end of the official year."

Words, as amended, inserted.

\*COLONEL HUGHES moved, in page 3, line 3, after the word "him," to insert the words—

"and it shall be the duty of every auditor to verify and sign a book containing a record of all the deeds relating to each of such mortgages."

He said, in well regulated Societies a deed book was kept, which contained not only the statement that there was a bundle of deeds but as to every deed in the bundle, and the auditors should be responsible for examining each of these bundles thoroughly. He had known many Societies where wrong-doing had taken place, and one frequent source of dishonesty had been the abstraction of deeds either by or through the negligence of officials. Unless the deeds were signed for on the occasion of the audit they could never prove whether the auditor saw them or not. This book containing a record of deeds would be an additional security, and he therefore begged to move the Amendment.

Amendment proposed, in page 3, line 3, after the word "him," to insert the words—

"And it shall be the duty of every auditor to verify and sign a book containing a record of all the deeds relating to each of such mortgages."—(Colonel Hughes.)

Question proposed, "That those words be there inserted."

MR. CROSFIELD (Lincoln) ventured to hope that this Amendment would not be accepted. It appeared to him that the very cumbersome duty the hon. Member sought to impose upon an auditor would defeat the very object of the audit. Those hon. Members who were at all acquainted with property would know that a very small area of ground might involve a very large number of deeds. These deeds, in practice, were made up into a bundle, and they remained in possession of the Society for many years in succession. The auditor would be required to verify the schedule and list of these deeds for each annual account. He would never do that, but in practice he went over them. The first time they appeared in the Society's book he would make them into a bundle, and if he knew his business he would put his own seal on that bundle. The next time he verified these deeds he did not do it by breaking his own seal, but he satisfied himself that the seal had not been broken and again certified that he had seen the bundle of deeds. Surely to ask a man to see every document in the bundle of deeds would be an impossibility.

MR. HOWELL hoped the House would accept the Amendment. Some time ago he was solicited to become a trustee of a Society. He consented, after a good deal of negotiations and upon certain conditions, the first of which was that he should see for himself the deeds representing the property of the Society. He was told that there was no necessity for this, that the deeds had been examined and were all right, and so on. He was told that he might feel quite assured that everything was perfectly safe. This did not satisfy him, and if he was to become a trustee he insisted on the fulfilment of the condition that he should see the deeds. He had no further communication from the Society for a period of three months, when some of the Directors wanted to know why it was that he did not take his position as trustee. The object in the particular instance to which he referred was to obtain his consent to act as trustee of the Society without the possibility of seeing the deeds representing the property for which he was to become trustee. The bare fact that an Institution—and an Institution in London—should imagine for a single moment

that a man would accept the position of trustee without an opportunity of verifying the deeds for himself showed the absolute necessity of putting provision in an Act of Parliament. He hoped that for the protection of members, officers, and trustees of Societies, as well as auditors, the Government would accept this Amendment.

MR. GERALD BALFOUR said, he could quite understand that when the hon. Member became trustee of a Society he might have been careful to go through every deed *seriatim*. But supposing it was part of the duties of a trustee to go through every deed every year, the hon. Member and many others would hesitate before they accepted the office of trustee. He very much doubted whether the words of his hon. Friend's Amendment really carried the meaning which he gathered from the hon. Gentleman's speech he intended they should carry. He doubted whether the words

"It shall be the duty of the auditor to verify and sign a book containing a record of all the deeds relating to each of such mortgages," carried with them any further meaning than that the auditor should satisfy himself that the deeds were there. If the auditor had adopted the very common plan suggested by the hon. Member for Lincoln—namely, of once for all looking through the packet of deeds and sealing it with his own seal, it would be quite unnecessary for him each year to go through all the deeds. He understood his hon. Friend would be satisfied with an Amendment to the effect that the auditor should satisfy himself that all the deeds were there, which he could easily do without going through them *seriatim* each year.

\*MR. H. GLADSTONE said, the Government could not accept this Amendment because, although they were all agreed as to its object, he did not believe that the Amendment of the hon. and gallant Gentleman went much beyond the Bill as it now stood. The Bill provided that the auditor should certify that he had actually inspected the mortgage deeds and other securities belonging to the Society. If a document was missing and he certified the number as correct he gave a false certificate. It appeared to him that the sub-section as it stood was quite sufficient if they had an honest auditor. Of course, if they had a dis-

honest one the Amendment of the hon. and gallant Gentleman was no protection at all. That was how the matter struck the Government, and therefore they could not accept the Amendment.

\*COLONEL HUGHES asked leave to withdraw the Amendment.

Amendment, by leave, withdrawn.

MR. CREMER desired to move an Amendment by way of addition to that of the hon. and gallant Gentleman the Member for Woolwich.

An hon. MEMBER: It is withdrawn.

MR. CREMER said, he should then address a question to Mr. Speaker as to what course he ought to pursue, and if he should be able to move the words as a separate Amendment. The words he desired to add were these—

“And if such mortgages have been effected on houses, the auditor shall state whether such houses are occupied, and if unoccupied how long they have been so.”

The object of such an Amendment would be manifest to anyone who had any practical acquaintance with Building Societies.

\*MR. SPEAKER: As the Amendment of the hon. and gallant Gentleman has been withdrawn, the hon. Gentleman cannot add the addition to it which he has indicated, but he can bring up the words as a separate Amendment imposing that duty on the auditor.

\*MR. CREMER intimated that he would take the opportunity of doing this at a later stage, when he should be able to adduce what he thought would be deemed to be sufficient reasons for giving this information to the shareholders. He would ask the right hon. Gentleman to consider whether he could not see his way to requiring that this information should be duly set forth.

MR. J. B. BALFOUR said, he was afraid the hon. Member (Mr. Cremer) was proposing something which was entirely beyond the scope of the auditors' duties. The business of the auditor was to look through the books and documents placed before him and to verify what he saw, but it was a matter of outside information altogether whether the houses or properties were occupied or not. If that information was required, it would require to be demanded in another form.

*Mr. H. Gladstone*

\*MR. CREMER said, he would move it in the form of a new column to the Schedule.

\*COLONEL HUGHES said, the next Amendment he desired to move raised the very important question as to the proportion of members who might ask for an inquiry. An inquiry must naturally put a Society not only on its defence, but almost lead to a cessation of business, because people were naturally timid, and, although he thought it a most desirable thing that there should be an inquiry, it was a most serious matter for a going concern, and should not be done on the motion of a few discontented people, who might have had some dispute with the Society which they ought to have referred to arbitrators. As the Bill now stood, any 10 members could combine and harass and even ruin a Society on the suspicion of something being wrong. It was true the Registrar had got to grant it, but the application was a thing which would be known, and this in itself might do a great deal of harm. It seemed to him a pity not to make it some sort of proportion of the total number of members—say, one-tenth of the whole number. By the present proposal he thought they were giving 10 people a power for mischief which they ought not to have, and for the security of the bulk of the shareholders it ought at least to be a tenth of the whole number. Then the question was, whether it should be the whole number of members or only those who were investors? He did not think a borrower had much right to an investigation unless he participated in profits. There were Societies of different kinds. In a Society to which he belonged the whole of the profits and losses belonged to the investing shareholders. The borrowers were exempt by the Rules from any liability for loss. In that case he did not think the borrowers ought to have the right to investigate the affairs of a Society of their own motion, or to join with others in investigating the affairs of the Society. He did not attach so very much importance to this point, but he did lay great stress upon the proportion of one-tenth of the whole number.

Amendment proposed, in page 3, line 19, to leave out the word “ten,” and insert the words “one-tenth of the whole number of the.”—(*Colonel Hughes.*)



Question proposed, "That the word 'ten' stand part of the Bill."

MR. BARTLEY said, he did not think they could possibly agree to such a proposal as this, because in the larger Societies it would render it quite impossible to have an inquiry at all. The subsequent sub-clauses were so carefully drawn that he thought it prevented any possibility of such a case happening as the hon. Gentleman (Colonel Hughes) had referred to. First of all, the Registrar was to be the judge, and then all expenses incidental to the inquiry were to fall upon these persons if it was a fictitious case. He thought persons would be very careful in bringing up a case of this sort where they were liable to pay the costs unless there was some foundation for it. The Committee thought over this a great deal, and they saw the difficulty of fixing any number without making it unreasonable for some Societies. In giving the Registrar the discretion he thought the Bill as it stood really covered all difficulties, and to make the proportion one-tenth would render the clause practically useless.

MR. FIELD said, he thought there ought to be some ratio of the total number of members. He knew perfectly well that discontented persons who had to do with Building Societies could do a great deal of harm unless this section was drawn in the way suggested. This would give greater security to those who had perhaps sunk all their money in one of these Societies.

MR. GERALD BALFOUR said, he thought the hon. Member who had just spoken had failed to observe that the protection he desired was provided by the clause as it stood. He believed that if an application were made and actually refused by the Registrar the probable effect would be not to weaken but to strengthen a Society.

\*MR. BANBURY said, he thought if some words were put in limiting the 10 to those who were shareholders, and who shared in the profit and loss, it would meet the case. He did not think that the borrowers who did not share in the profit and loss should have the power in their hands. Anyone who had had experience of shareholders knew the tremendous difficulty it was to get a body of shareholders to move, and if they made

it too large a number it would be absolutely impossible in many cases to have an inquiry at all. As it was entirely with the discretion of the Registrar, and as a certain sum had to be deposited and the expenses defrayed by those making the application, he could not think any harm could possibly result.

MR. CARSON (Dublin University) said, he asked at an earlier stage of the evening as to the position of the Registrar in Ireland, and the right hon. Member in charge of the Bill gave him an answer privately that he was practically subordinate to the Registrar here. Since then his attention had been directed to the words "Chief Registrar" in the 21st section, and he would like to ask what was the difference between "the Registrar" and "the Chief Registrar"?

\*MR. H. GLADSTONE said, the Registrar practically included the two gentlemen in London who were at the head of the Office. Their jurisdiction was superior to the jurisdiction of the Registrar in Ireland or in Scotland. He could not accept the Amendment for the reasons which had been stated by previous speakers, and with which he quite agreed. He thought the provision was adequately safeguarded, and that the Registrar would not grant the inquiry unless satisfied that there was, at any rate, a *prima facie* case made out. He thought it might be assumed that he would take care to ascertain what the position of the Society was, and that he would not give his permission for an inquiry unless he felt there was a good case made out.

MR. JACKSON said, he would take the case of one of the Leeds Societies, in which there were 11,250 members. One-tenth of the total number would require 1,120 members of that Society to make an application to the Registrar, and when he said he believed that at the annual meetings, although great efforts were made from time to time to get members to attend, it was with the greatest possible difficulty they could get 500 members present, he thought it would be seen that the Amendment was quite impracticable.

Question put, and agreed to.

\*COLONEL HUGHES said, he did not think it was sufficient that the application should be made by dissentient share-

holders, and that the Registrar should decide on that *ex parte* application whether there was to be an investigation or not. He thought that, before he could judge as to whether it was necessary to act under Section 4, he ought to give the Society notice of the application and ask for evidence in support of the application. He did not say what evidence he should have, but something that was to his satisfaction.

Amendment proposed, in page 3, line 24, after the word "follows," to insert the words—

"(a) The application shall be supported by such evidence as the Registrar may direct, for the purpose of showing that the applicants have good reason for requiring the inspection to be made; and (b) Such notice of the application shall be given to the Society as the Registrar may direct; and." — (*Colonel Hughes*.)

Question proposed, "That those words be there inserted."

\*MR. J. B. BALFOUR said, he did not think the Amendment was necessary, and he thought in some degree it might be injurious. The words were "if he thinks fit," and of course, anyone exercising his discretion would require to see such a *primâ facie* case as was satisfactory to himself. That might, or might not, require evidence to be gone into. A frivolous application he would refuse at once, and the Registrar would certainly take such methods as he thought were necessary to enable him to judge whether he should grant or refuse an application. The Amendment would, accordingly, fetter him. It might compel him to ask for evidence, where there was not a *primâ facie* case, to go any further. Then as to notice to a Society. That, surely, was a thing which hardly came in here, because it was a duty to be performed by the Registrar, and if the Registrar knew his duty he need not say anything to the Society until an application was made.

MR. JACKSON said, this really arose in the Committee on the proposal, which was largely supported, that there should be the power to an individual member of a Society to inspect the books of the Society. Opinions varied, but the Committee came to the conclusion that there were a great many objections to allowing an individual member of the Society to go worrying the officers from time to

time, and, in all probability, if he did he would get no advantage, because everybody knew that if a man who had no knowledge of accounts were simply turned loose into the office to inspect the books, he might inspect the whole of them and be no wiser afterwards than he was before. But it was felt there might be cases where the officers were refusing to give information, and that in principle it was right that members should have the power to inspect the books. Therefore, the Committee adopted this form as being, in the interests of members in such a case, the most effective manner of their obtaining the information they wanted. His hon. and gallant Friend would see that the other important question he had raised was provided for in the next clause, and that in that case notice was given to the Society. Obviously, in this case where information might be desired they ought to have the means of obtaining it; but at the same time there ought to be the protection to the Society and to the officers that they should not be harassed and worried by cantankerous persons who might obtain no benefit from the result of their inspection. It was suggested the number should be three members, but that was thought too few, and so the number of 10 was adopted in order to give some protection to the Society.

SIR E. CLARKE (Plymouth) said, he could quite understand the reasons for which this was adopted, and the reasons which suggested to the Committee that it would be an extremely bad thing for Building Societies that they should be liable to be harassed by the inspection of single members. But it really did not seem to him that any answer had been given to the suggestion that this Amendment was a useful one. What had been said was that if the Registrar was doing his duty he would require a *primâ facie* case to support the application. He protested against the phrase "*primâ facie* case." It meant anything or nothing, as the case might be, and he thought there ought to be some satisfactory reason for granting this inquiry. It was appointing an accountant or an actuary, at the expense of the Society, to go all over the books of the Society to examine them, and if it was conceded that the Registrar ought to have some evidence before him before he granted the application he

*Colonel Hughes*

thought it ought to be specified in the clause. As the clause now stood the Registrar might for any reason, or for no reason, quite frivolously grant this expensive inquiry, and there were no means of checking it at all. It was admitted he ought to have some reason for granting the inquiry, and why was it not allowable to put in some evidence before him in order that it might be decided otherwise? It appeared to him a matter of such importance that it ought to be put on the face of the clause, and he thought the Amendment was worth while accepting.

Mr. GERALD BALFOUR said, he thought it was clear the Registrar would be grossly neglecting his duty if he were not to act in the sense of the Amendment, so long as he proposed to grant that application; but if it appeared to him, on the very face of it, that the application was a frivolous one, why should he be compelled by Statute to give notice to the Society? It would be far better when this evidence, which he considered perfectly frivolous, was laid before him, he should be able immediately to tell the applicants, "No, you have made out no case, and I decline to proceed any further in this matter."

Mr. CARSON said, it appeared to him the argument just adduced to the House was the very strongest argument in favour of the Amendment, but the hon. Member said that before he granted an inquiry the Registrar ought to insist on having the particular matter before him that they said the Amendment provided for. Surely if the Registrar ought to do it, there was no harm in having the Amendment there, and seeing that he did do it. It occurred to him that if it was necessary to put this limitation upon the power of the Registrar in Section 5, it was equally necessary to put it in the 4th section.

\*Mr. TOMLINSON (Preston) said, it seemed to have escaped some hon. Members that there was already some security against frivolous applications, inasmuch as it was provided that the applicants should deposit such sum for security as the Registrar might require. That, he believed, would do something to check frivolous applications.

Question put, and negatived.

Mr. DANE (Fermanagh, N.) said, the Amendment which he desired to move was for the purpose of constituting an appeal from Sections 4 and 5. By those sections the Registrar was given very large and very unlimited, and, in some degree, judicial powers. These unlimited powers, in his opinion, ought to have some controlling effect, and therefore he proposed by his Amendment that the Society might appeal to the Court in the manner prescribed by it. It was all very well to say that the Registrar would not act on merely slight evidence, or that he would not act in a frivolous or vexatious way. But the best way to secure that was to have an appeal to some tribunal which would possess the confidence of the public as well as the confidence of members of the Society, and the Court which he had suggested in his Amendment was to be the Court which was defined in Section 4 of the Act of 1874. Again, there was no definition in the Bill of the word "Registrar," and he found in the 21st section the words "Chief Registrar," which showed that there must be a difference between "Registrar" and "Chief Registrar." He had carefully gone through all the Building Societies' Acts, which were to be considered as one with this Bill, and the only definition of "Registrar" he could find was one in the principal Act of 1874, which described the Registrar as the Registrar for the time being of Friendly Societies in England, Scotland, or Ireland, as the case may be. Therefore, the wide powers given under this Bill would be placed in the hands of gentlemen whom he might call District Registrars throughout the Kingdom. Surely there ought to be some check upon these gentlemen, and therefore an appeal ought to be allowed to the County Court in England, to the Sheriff's Court in Scotland, and the Civil Bill Court in Ireland.

Amendment proposed, in page 4, line 43, after the word "members," to insert the words—

"A Society may appeal to the Court in manner to be prescribed by it from any decision of the Registrar made under this or the preceding section, and thereupon the Court may make such order rescinding, confirming, and varying such decision and upon such terms as to costs or otherwise as to the Court shall seem proper."—*(Mr. Dane.)*

Question proposed, "That those words be there inserted."

\*MR. H. GLADSTONE said, the Government were unable to accept the Amendment. With regard to the question of the Registrar, there were two officials in London—a Chief Registrar and an Assistant Registrar, and they acted together in England. In Scotland and in Ireland there was a Registrar, and both were subordinate to the Chief Registrar, and therefore the members and officials of a Building Society could appeal to the Chief Registrar against the decisions of the Registrar. It appeared to the Government that the functions of the Registrar under the clause were executive and devolved upon him subject to the authority of the Secretary of State. This clause was practically taken from the 23rd section of the Friendly Societies Act, 1875, and, as far as he knew, no difficulty had been experienced in the working of that section.

MR. CARSON admitted that there were reasons why the Government could not accept the Amendment, and agreed with the right hon. Gentleman that this matter was to a large extent one of an executive character. So far as he was concerned, speaking on behalf of a very large Building Society in Dublin, he should be content if there was an appeal in all cases to the Chief Registry in London; but he was bound to say that he had looked carefully through the principal Act—the Act of 1874—and he could find in it no provision for an appeal from the Registrar to the Chief Registrar.

MR. H. GLADSTONE: The Friendly Societies Act of 1875 contains it.

MR. FIELD: Why not make it clear by introducing it into this clause?

Question put, and negatived.

COLONEL HUGHES moved to add at the end of the last sub-section of Clause 5, which enacts that where evidence is furnished by a statutory declaration of not less than three members of facts which in the opinion of the Registrar call for investigation, or for recourse to a meeting of members, the following new proviso:—

“Provided that the Registrar shall forthwith, on receipt of such declaration, send a copy and notice thereof to the Society, and such Society shall, within 14 days from the sending of such copy declaration, be entitled to give the Registrar an explanatory statement in writing, by

way of reply thereto; which statement, if received, shall also be submitted to the said Secretary of State.”

The Building Society seemed to be ignored altogether in the transaction. Surely, both sides ought to be heard in the matter. When a declaration was made against a Society it was only fair that the Society should be sent a copy of it, and have the opportunity of answering it.

Amendment proposed, in page 4, line 43, after the word “members,” to insert the words—

“(d) Provided that the Registrar shall, forthwith, on receipt of such declaration, send a copy and notice thereof to the Society, and such Society shall, within 14 days from the sending of such copy declaration, be entitled to give the Registrar an explanatory statement in writing, by way of reply thereto, which statement, if received, shall also be submitted to the said Secretary of State.”—(*Colonel Hughes.*)

Question proposed, “That those words be there inserted.”

MR. J. B. BALFOUR said, the Government were willing to accept the Amendment minus the words at the end—“which statement, if received, shall also be submitted to the said Secretary of State.”

COLONEL HUGHES said, he had no objection to the omission of those words.

Amendment amended, by leaving out the words “which statement, if received, shall also be submitted to the said Secretary of State.”

Words, as amended, inserted.

Amendment proposed, in page 7, line 12, to leave out the word “present.”—(*Mr. Dane.*)

Question, “That the word ‘present’ stand part of the Bill,” put, and agreed to.

Amendment proposed, in page 7, line 16, to leave out the words “present at the meeting,” and insert the words “of the Society.”—(*Mr. Brookfield.*)

Question, “That the words ‘present at the meeting,’ stand part of the Bill,” put, and agreed to.

Amendment proposed, in page 7, line 20, after the word “Society,” to insert the words—

“(3) A notice of any such meeting stating the nature of the proposed scheme, together with a form of proxy, shall be sent by post to every member of the Society at least 14 days before the date of the meeting, and members

shall be at liberty to vote at such meeting by proxy."—(*Mr. Bousfield.*)

Question proposed, "That those words be there inserted."

MR. H. GLADSTONE said, the Government would accept this Amendment.

Question put, and agreed to.

SIR E. CLARKE asked, as the words "present at the meeting" were retained by the Government, what was the use of agreeing to the sending of proxies?

MR. BARTLEY said, the Amendment would introduce trouble and expense. It meant that the Society would have to go to the trouble and expense of sending proxy forms to everybody.

MR. FIELD said, that everyone having an interest in a Building Society should be consulted as to its affairs.

\*MR. CREMER thought that if voting by proxy was introduced, in the majority of cases of Societies in which malpractices had taken place the officials, if they desired unduly to influence the members, would have a splendid opportunity for doing so.

\*COLONEL HUGHES said, that words enabling "those present in person or by proxy" would have to be inserted in order to make sense of the clause.

MR. H. GLADSTONE said, that he would take care that adequate words were inserted.

MR. CARSON moved, in page 7, line 26, after "Scotland," insert "or Ireland." The Amendment would have the effect of enabling Building Societies in Ireland as well as in Scotland to lend upon the security of second mortgages. He could not understand why the distinction should be drawn in this matter between Scotland and Ireland, as the system of lending on second mortgages was identical in Ireland and Scotland. The difficulty in England with regard to lending on second mortgages was that there was no registration, but in Ireland, owing to the system of registration, it was easy to see what security there was in a second mortgage. One of the largest Building Societies in Dublin, which had lent £1,500,000, had advanced considerable sums upon second mortgages, which had turned out satisfactory in every way, and there had been no difficulty in realising them. If the Bill passed as it stood, it would prevent loans in Ireland being

made upon the security of second mortgages, so far as Building Societies were concerned.

\*COLONEL HUGHES: Not affecting existing securities.

MR. CARSON said, he saw no distinction drawn in the clause between existing Societies and Societies to be formed hereafter; nor was there any distinction between existing securities and securities to be created hereafter. If it were made illegal to lend on second mortgages, he was inclined to think that those Societies would have to realise their securities on second mortgages in order to bring themselves within the Act, which, in the case of the Dublin Society he had mentioned, would mean that the Society would have to be wound up. He wanted to know why Ireland should be placed in a different position to Scotland, and he appealed to the right hon. Gentleman for some explanation.

Amendment proposed, in page 7, line 26, after the word "Scotland," to insert the words "or Ireland."—(*Mr. Carson.*)

Question proposed, "That the words 'or Ireland' be there inserted."

\*MR. H. GLADSTONE said, it was with some misgiving that the Committee put this clause into the Bill. They considered that second mortgages were dangerous. They had, however, a great deal of evidence from Scotch Building Societies which showed that a large number of them made a practice of lending on second mortgages, and on very strong representations being made the Committee consented to put the clause in the Bill. As far as Ireland was concerned no representation at all had been made, and no evidence was tendered to the Committee by any Irish Society. He was afraid he could not accept the Amendment offhand, but he would undertake to make inquiries into the subject, and if the circumstances in Ireland were found to be identical with the circumstances in Scotland the Government would be prepared to include Ireland in the clause.

MR. FIELD said, he could assure the right hon. Gentleman from personal experience that there was a great deal of money lent by Irish Building Societies on second mortgages, and he trusted that the Irish Societies would not be placed

in a worse position than the Scotch Societies.

MR. T. W. RUSSELL thought that most Irishmen would be inclined to ask for that which was conceded to Scotland.

MR. T. M. HEALY was disposed to think that the right hon. Gentleman would do well to accept the Amendment. Unless the Committee had distinct evidence on the point and acted on it, he thought it would be better to omit Ireland from the Bill. It would be rather a hardship on the general body of property-holders if they were debarred from obtaining loans on second mortgages.

\*MR. J. B. BALFOUR explained that a second mortgage in Scotland was quite a different quality of security from second mortgages in England, and he believed also in Ireland. But if it were found that in Ireland second mortgages constituted the same class of security as in Scotland, the Government would be willing to grant the concession to Ireland.

MR. BARTLEY said that, as far as England was concerned, he would rather see the Bill go than that English Societies should be allowed to lend on second mortgages.

\*MR. TOMLINSON hoped the Amendment would not be pressed. The law of Ireland approached very closely to the law of England, and he could not help thinking that it would seriously depreciate the value of the securities of these Societies in Ireland if they were allowed to lend on second mortgages.

MR. CARSON said, that on the assurance that the matter would be considered and if necessary the Amendment inserted in another place, he would withdraw the Amendment.

Amendment, by leave, withdrawn.

\*MR. BYLES said, he felt bound to move the Amendment standing in his name for the omission of the 13th clause, for the reason that several Societies had expressed to him their objection to the provision very strongly. What did it propose? It provided that in calculating the amount for the time being secured to a Society under the Building Societies Acts by mortgages from its members, for the purpose of ascertaining the limits of its power to receive deposits or loans at interest, the amount secured on properties, the payments in respect of which were upwards of 12 months in arrear at

the date of the Society's last preceding annual account and statement, and the amount secured on properties of which the Society was in possession at the date of such account and statement, should be disregarded, provided that the section did not effect the validity of any deposit or loan which was within the limit provided by law at the time when it was received, and should not come into operation until the expiration of 12 months from the passing of the Act. It was absurd to suppose that, because the property upon which money had been advanced was in possession, therefore it ceased to be of value, or that it ceased to be of value so soon as the repayments fell into arrears. He hoped therefore, if the Government did not see their way to omitting the clause from the Bill altogether, at any rate, they would greatly modify its application.

Amendment proposed, in page 7, line 32, to leave out 'Clause 13.—(Mr. Byles.)'

Question proposed, "That the words 'In calculating the amount,' stand part of the Bill."

\*COLONEL HUGHES said, this was really the most important matter in the entire Bill. Many Societies had undoubtedly taken loans by way of precaution, and they might have done to the extent of two-thirds of their mortgages. Take a Society with £300,000 mortgages. By loans it might have secured on them £200,000. There might be on property dealt with over some years, involving millions of money advanced, some £60,000 due on lapsed properties. The property on which that money was due could not be worthless. £40,000 of deposits might be borrowed on security of it, and it did seem a strong thing to require from a solvent Society the paying within 12 months of this £40,000 to the depositors, the depositors having given no notice of withdrawal. The transaction had been legalised by the Act of 1874. He should have no objection to the acceptance of the Amendment of the right hon. Gentleman the Member for the University of London, by which the clause would have applied to future Societies. But for existing Societies, which were in the position of having two-thirds of the amount of their mortgages borrowed on deposits, to have



their business suddenly restricted in this way would be most unfair. The clause, he felt sure, would work a very great injustice to these established Societies that had just managed to struggle through the crisis of the last two years and were now looking forward to better times. These Societies were to be attacked not by the public nor the depositors, but by the Legislature, who would say to them, "You shall shrink your deposits by this large sum of £40,000, which is lent on mortgages of £60,000." Only 75 per cent. of the value was lent, leaving a further margin of 25 per cent. It was not reasonable to require a person in trade, because he happened to have done a wise thing in having gone into possession because the parties were three months in arrear with payments—it was not a wise thing to require him to reckon his asset at nothing. Such difficulties should not be placed in the way of Societies which had hitherto weathered the storm. If these Societies were called upon to find this money they would have to sell whatever property they could realise, and that within the short space of 12 months from the passing of the Bill. It might compel them to stop their business. Unless some assurance were given them that the clause in its present form should not apply to existing Societies, or some other concessions were made, he hoped that the matter would be pressed to a Division.

\*MR. HOPWOOD said, that he also had had an Amendment down to leave out this clause. He thought the Government would make a great mistake if they insisted on retaining it in all its deformity. While smarting under a terrible calamity caused by dishonesty the Committee was being urged in a fit of panic to proceed with severe legislation in regard to Societies which were perfectly unimpeachable, the result being to probably destroy them and to inflict injury on millions of persons. The Government could not foresee the extent of what they were now doing. But he would not enter into the matter more fully, as the hon. and gallant Member opposite (Colonel Hughes) had dealt with the clause thoroughly. He was sure the experience of the hon. and gallant Gentleman would weigh largely with many hon. Members in the House. It was intimate and of long standing. He (Mr.

Hopwood) would divide with the hon. and gallant Member.

MR. GERALD BALFOUR said, he was not prepared to admit that the Liberator catastrophe was the only cause of this Bill being called for, nor that it was legislation in a panic. The Bill had been before Parliament for at least two years, and had been carefully considered in the Committee upstairs and again in the Grand Committee. With regard to this particular Amendment, while he himself would not be personally indisposed to give a certain period of grace before the clause came into operation, he must say he did trust that the Government would stand to the clause. His hon. and gallant Friend had spoken of the hardship it would be to existing well-managed Societies if the clause was passed; but he did not think that well-managed Societies should borrow up to the edge of their borrowing powers. He supported the clause, because it would discourage borrowing up to the limit of two-thirds of the amount at present allowed by law. In his opinion, Societies ought to be most careful to keep a long way from that. It was undesirable that Societies should be tempted to maintain properties in possession instead of selling them. He did not wish to see provisions introduced into the Bill compelling disastrous sales, but he imagined that if a period of grace were given, the terms of the clause and of the Bill were such that they would not bring about rapid and disastrous sales, but would put gentle pressure on the Directors of Societies to realise property in possession.

MR. BILLSON (Devon, Barnstaple) said, the Government might adopt the period of five years in the clause.

MR. JACKSON said, he hoped the Government would not accept that. He thought the clause would do a great deal of good, and that it might be modified in two respects. He would appeal to the Government or rather suggest that they should make an alteration to the effect that the clause should apply not to property in possession but to property which had been 12 months in possession. That would be an alteration rather consequential on what had been already done. As to the period of grace, he might say that as far as he had been able to form an opinion on the subject he thought the

greatest importance should be attached to the clause, and to the influence which would be brought to bear on Societies to get rid of properties in possession. He had seen a list of 15 Lancashire Societies which showed that the total mortgage assets were £1,300,000 and the total amount of properties in possession £574,000. He did not think that bore out the statement that Societies did not need stimulating in this matter. He hoped the Committee would adhere to the clause. If the Government would make a concession that the operation of the Bill as regarded this section should be two years instead of one, that would be a fair compromise. That would allow a longer time for getting rid of these properties in possession.

\*MR. J. B. BALFOUR said, that in line 39 the word "was" was struck out, and the words "society has been 12 months" were inserted. If "two years" were put in in the second line of the next page that would give three years' grace. They were all agreed as to the desirability of bringing about a reduction in the amount of property in possession.

\*MR. BYLES : I will take what I can get.

Amendment, by leave, withdrawn.

The following Amendments were agreed to :—

Page 7, line 39, leave out "was," and insert "had been twelve months."

Page 8, line 2, leave out "twelve months," and insert "two years."

MR. DANE moved to amend Clause 14 by providing that a Society established after the passing of the Act should not use any name or title other than its registered name, and should not accept any deposit except on the terms that not less than one month's notice might be required by the managers before repayment or withdrawal. This would prevent a grievous wrong being done to Irish Societies.

Amendment proposed, in page 8, line 3, after the word "Acts," to insert the words "established after the passing of this Act."—(*Mr. Dane.*)

Question proposed, "That those words be there inserted."

\*MR. H. GLADSTONE said, that this clause originally was prepared by the

*Mr. Jackson*

Building Societies themselves, and appeared in the Bill brought in on their behalf by the right hon. Gentleman the Member for the University of London. The Government could not accept the Amendment, which had been carefully considered by the Committee upstairs.

MR. CARSON said, he was sorry the hon. Gentleman could not accept a modification of the clause. He himself had put down an Amendment, but exempting Societies established prior to the Building Societies Act, 1874. He had been addressed on this matter by a large Building Society in Dublin—he thought the largest Building Society in Ireland—in whose case banking was a large part of the business done. When they had been engaged in such operations Parliament should not, at a time like the present, take away from them what was one of the most substantial parts of their business. If the House passed the clause unamended they would practically enact that Societies that had long and honourably done banking business would have to be wound up. While they wanted to protect the public against bogus Societies, Societies which had flourished for 25 years should be protected by suitable limitations.

MR. FIELD said, he understood the object of the Bill was to strengthen the working of solvent Building Societies rather than destroy them. What had fallen from the hon. and learned Member (Mr. Carson) was quite correct.

Question put, and negatived.

It being Midnight, Further Proceeding stood adjourned.

Proceeding to be resumed To-morrow.

#### RAILWAY AND CANAL TRAFFIC BILL. (No. 156.)

##### COMMITTEE.

Order for Committee read.

\*SIR A. ROLLIT (Islington, S.) asked the President of the Board of Trade whether he was in a position to state to the House what were the prospects of the Bill, the passage of which, if possible without undue concessions, was anxiously looked for by traders, and especially by those who were being paid by the Railway Companies in excess of the rates of 1892?

THE PRESIDENT OF THE BOARD OF TRADE (MR. BRYCE, Aberdeen, S.)

said, that after a great many conferences between Members representing one set of interests and Members representing another, certain Amendments had been agreed to which he believed fairly represented a compromise which both parties were likely to consider satisfactory. He was putting down Amendments which would represent the views the Board of Trade took in the matter. He hoped on an early day to ask the House to take the Bill and to afford an opportunity for as much discussion as was necessary to enable hon. Members to express an opinion on the subject. He trusted that the Bill would be taken and carried through in the same amicable spirit that had marked the proceedings hitherto.

SIR A. ROLLIT asked when the Bill would be taken?

MR. BRYCE said, he could not say at present.

Committee deferred till To-morrow.

#### COAL MINES (CHECK-WEIGHER) BILL. (No. 340.)

##### SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Asquith.*)

\*MR. STUART-WORTLEY (Sheffield, Hallam) said, that without desiring to oppose or delay this Bill, he wished to make an observation about it. The Bill made it an offence for any employer to influence by a threat of dismissal a workman in the appointment of a check-weigher. He believed that that was a very necessary and proper thing, but he would draw the attention of the House to the important consequences which would follow from that doctrine. It practically put the threat to dismiss a workman in the same position as an act of intimidation. When it was done with the intention of persuading a person not to do that which he had a legal right to do, it put him to that extent under intimidation. It was obvious that the counterpart of the refusal of employment was the refusal to give services, and it was notorious that in many cases the threat to refuse services was made use of for the purpose of inducing employers not to do that which they had a legal right to do.

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. ASQUITH, Fife, E.) said, the hon. Member was quite within his right in referring to this matter. He thought there was no real difference of opinion on either side of the House as to the expediency of this proposal. Parliament had deliberately enacted that the workmen should have a right to appoint a check-weigher, who should have a right to take observation of the weight of coal brought up, and for that purpose have access to the weighing machine. The Coal Mines Act of 1887 penalised the employer for impeding or interfering with the check-weigher, and this Bill was brought forward to penalise him for an obvious evasion of that Act—that was, that the employer should not have a right to say to the men that he would dismiss them if they continued to employ a particular person as check-weigher. He was certain that the House would agree that that, though not an infraction of the Act of 1887, was an evasion of it. Clearly the intention of Parliament had been that the workman should have the right to select and continue in his employment a check-weigher who possessed their confidence.

MR. TOMLINSON (Preston) said, he did not oppose the Bill; but as it had only been delivered to-day, he would suggest that before reading it a second time further opportunity of considering its provisions should be given to persons interested in the subject.

It being after Midnight, and Objection being taken to Further Proceeding, the Debate stood adjourned.

Debate to be resumed To-morrow.

#### PREVENTION OF CRUELTY TO CHILDREN BILL [*Lords*].—(No. 242.)

##### SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Asquith.*)

MR. CONYBEARE (Cornwall, Camborne) said, that this Bill had not yet been printed. They had passed a Bill on this subject this year, and there was another on the Statute Book, and he should, therefore, like to know what the present measure was.

MR. ASQUITH said, it was a Bill of consolidation merely. There were two Acts in existence on the subject, and the object of the present Bill was to consolidate them. It effected no change in the law. The Bill had passed through the House of Lords and the scrutiny of many eminent lawyers.

MR. R. G. WEBSTER said, he had gone through the Bill, and had failed to find in it anything about consolidation.

MR. T. W. RUSSELL (Tyrone, S.) said, he had great objection to reading a Bill a second time before it had been printed.

\*MR. TOMLINSON said, he believed the Bill was correctly described as being a consolidation Bill. It was carefully considered by a Joint Committee of both Houses, of which he was a Member, but at the same time he thought there was a strong objection to passing a Bill which had not been printed.

MR. CONYBEARE said, that as a matter of Order a Bill should not be read a second time before it had been printed,

whether it came from the House of Lords or not.

\*MR. SPEAKER : It is for the House to judge. There is no question of Order.

MR. T. W. RUSSELL : I object.

Second Reading deferred till To-morrow.

CANAL TOLLS AND CHARGES PRO-  
VISIONAL ORDER (No. 11) (LAGAN, &c.  
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As amended, considered ; read the third time, and passed.

PRIZE COURTS BILL [*Lords*].—(No. 311.)

Considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress ; to sit again To-morrow.

House adjourned at a quarter after  
Twelve o'clock.

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# I N D E X

TO

## THE PARLIAMENTARY DEBATES (AUTHORISED EDITION).

### VOLUME XXVII. FOURTH SERIES.

SIXTH VOLUME OF SESSION 1894.

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LAND REVENUE  
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IRELAND  
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